

Edward B. Thomas, which nomination was received by the Senate on December 10, 1906. (The nomination of Mr. Chatfield, received by the Senate on December 13, 1906, being a substitute for this one withdrawn.)

O. K. Paddock to be postmaster at South Omaha, in the State of Nebraska.

George W. Cowen to be postmaster at Lincoln, in the State of New Hampshire.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 17, 1906.

ASSISTANT ATTORNEY-GENERAL.

Alford W. Cooley, of New York, to be Assistant Attorney-General.

SURVEYOR OF CUSTOMS.

Benjamin H. Barrows, of Nebraska, to be surveyor of customs for the port of Omaha, in the State of Nebraska.

RECEIVERS OF PUBLIC MONEYS.

Alexander B. Kennedy, of Louisiana, to be receiver of public moneys at New Orleans, La., to take effect January 23, 1907.

Shields Warren, of Florida, to be receiver of public moneys at Gainesville, Fla.

PROMOTIONS IN THE ARMY.

To be captain in Cavalry Arm.

First Lieut. James D. Tilford, First Cavalry, from October 1, 1906.

To be chaplain with rank of major in Artillery Corps.

Capt. Patrick J. Hart, chaplain, Artillery Corps, to be chaplain with the rank of major from December 5, 1906.

POSTMASTERS.

CALIFORNIA.

Wellington A. Griffin to be postmaster at Mountain View, in the county of Santa Clara and State of California.

Helen C. Thompson to be postmaster at Stanford University, in the county of Santa Clara and State of California.

NEBRASKA.

Edmund L. Howe to be postmaster at South Omaha, in the State of Nebraska.

NEW JERSEY.

Samuel Bartlett to be postmaster at Pleasantville, in the county of Atlantic and State of New Jersey.

John W. Davis to be postmaster at Burlington, in the county of Burlington and State of New Jersey.

James Freeman to be postmaster at Arlington, in the county of Hudson and State of New Jersey.

Charles E. Stults to be postmaster at Hightstown, in the county of Mercer and State of New Jersey.

NEW YORK.

William Smith to be postmaster at Livingston Manor, in the county of Sullivan and State of New York.

HOUSE OF REPRESENTATIVES.

Monday, December 17, 1906.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday was read and approved.

RESIGNATION FROM COMMITTEE.

The SPEAKER laid before the House the following communication:

WASHINGTON, D. C., December 15, 1906.

To the SPEAKER,
House of Representatives:

Having been appointed chairman of the Committee on Foreign Affairs, I hereby tender my resignation as chairman of the Committee on Expenditures in the Treasury Department and as a member thereof.

Yours, very truly,

ROBERT G. COUSINS.

The SPEAKER. Without objection, the resignation will be accepted.

COMMITTEE APPOINTMENTS.

The SPEAKER announced the following committee appointments.

The Clerk read as follows:

Representative WEEKS, chairman of Committee on Expenditures in the State Department.

Representative KNOPP, chairman of Committee on Expenditures in Treasury Department.

Representative REYBURN, member of Committee on Coinage, Weights, and Measures, and Committee on Expenditures in the State Department.

Representative MOORE, of Pennsylvania, member of Committee on Immigration and Naturalization, and Committee on Enrolled Bills.
Representative BRUMM, member of Committee on Private Land Claims, and Committee on Expenditures on Public Buildings.
Representative NELSON, member of the Committee on Pacific Railroads, and Committee on Expenditures in the State Department.
Representative COUDREY, member of the Committee on Elections No. 2, and Committee on Levees and Improvements of the Mississippi River.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States, were communicated to the House of Representatives by Mr. LATTA, one of his secretaries.

POSTAL FRAUD ORDERS.

Mr. CRUMPACKER. Mr. Speaker, I move to suspend the rules and pass the resolution which I send to the Clerk's desk. The Clerk read as follows:

Resolved, That the bill (H. R. 16548) to provide for judicial review for orders excluding persons from the use of United States mail facilities shall have the same privilege for the remainder of the session as is accorded bills reported by committees having leave to report at any time.

The SPEAKER. Is a second demanded?

Mr. STAFFORD. I demand a second, Mr. Speaker.

Mr. CRUMPACKER. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Indiana asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. CRUMPACKER. Mr. Speaker, the purpose of the resolution is to give the bill known as "the fraud-order bill" a privileged status on the Calendar, so that it can be called up and considered on its merits at any time. It is not a privileged bill, and this resolution gives it that status. It is the object of the promoters of the legislation, after the holiday recess, when opportunity affords, to call it up and thoroughly discuss it and have it considered by the House.

Mr. STAFFORD. Has the bill to which the gentleman refers been reported by the Judiciary Committee?

Mr. CRUMPACKER. It was reported unanimously by the Judiciary Committee after quite an extensive and exhaustive investigation of the subject.

Mr. STAFFORD. Had it been reported out of the committee when committees were called in order in the House last week and when the Committee on Judiciary had recognition?

Mr. CRUMPACKER. It had.

Mr. STAFFORD. Does the gentleman know why the bill was not then called up under the call of committees?

Mr. CRUMPACKER. I asked the chairman of the Committee on the Judiciary to call it up, and he gave me as a reason that he did not care to occupy the time, or something like that. I felt that it ought to have been called up, but I think Members who are interested in the question desire some time to discuss it and want it put where it can be given more time than it could be given under the call of committees.

Mr. STAFFORD. Does the gentleman's resolution make the bill privileged?

Mr. CRUMPACKER. The resolution makes the bill privileged—that is, it gives it a status on the Calendar of a privileged bill, which can be called up at any time when there is no other privileged matter before the House. That is the only object of the resolution.

Mr. PAYNE. Can the gentleman from Indiana state in a word what change the bill proposes to make in the existing law?

Mr. CRUMPACKER. I will as briefly as I can. Under the existing law the Postmaster-General has the power, where evidence is submitted to him which satisfies him that any person is using the mails for fraudulent purposes, to issue an order withholding or denying him the right to use the mails—that is, he issues what is known as a "fraud order," denying such person the use of the mails. This may be done under the law without any notice whatever to the party affected, without any opportunity to appear and resist the issuance of the order, and when the order is once issued the courts have decided that Congress having vested the discretion in the Postmaster-General, it is not subject to review in the courts.

It is the custom of the Postmaster-General, however, in most cases to have notice given to the parties and afford opportunities for them to present their defense. The chief evidence supplied to the Postmaster-General is in the form of confidential reports made by post-office inspectors, consisting of interviews with people throughout the country, men not under oath, not responsible criminally or civilly for anything they may say.

These reports are never accessible to the person who is accused of fraudulently using the mails; he has no opportunity to

see them at any time under any circumstances, and one against whom a fraud order is improvidently issued, issued upon a mistake of facts—is absolutely without a remedy. He is branded before the public as the perpetrator of fraud. His right to the mails is absolutely cut off, and he is without recourse because there is no appeal to the courts on the question of fact. Now, the purpose of this bill is to give men who desire it the right to go into the courts and have questions of fact and law reviewed. The Postmaster-General is required to keep a fraud-order record, and when he is satisfied that any individual is using the mails for fraudulent purposes, he is required to give him notice, and, within a certain time after notice is issued, if no objection is made, the fraud order goes as a matter of course, but, pending this, and in order to prevent men imposing on the people, in order to cut off the career of green-goods concerns and fly-by-night institutions and get-rich-quick schemes, the Postmaster-General may peremptorily order the mail to be impounded in the post-office where the individual or corporation receives mail, to be held there pending investigation; and if the individual wants to go into court, he may commence proceedings in the Federal court having jurisdiction of the postmaster, and have a summary investigation of the law and the facts. The purpose of the bill is to give men who feel that they have been wronged, that fraud orders have been issued against them on improper or imperfect proof, an opportunity to have the matter heard according to established procedure in the court; but pending the proceeding, the Postmaster-General can have the mails withheld in the post-office where they would be delivered indefinitely until the matter is determined.

Mr. PAYNE. Does the bill open up a way for any liability for damages on the part either of the Government or the Postmaster-General, or is it simply a mandamus proceeding?

Mr. CRUMPACKER. No; it does not open up any way for liability; it does not fix any additional responsibilities, and it does not create any basis for actions of a civil character or any other kind, excepting it undertakes to give the right to the individual against whom a fraud order is to be issued to go into a court of record and have the facts investigated upon evidence that is recognized in courts of law.

Mr. PAYNE. What remedy is proposed under the bill?

Mr. CRUMPACKER. The remedy I undertook to explain a moment ago is that the individual has the right to go into a court and commence proceedings to review the procedure for the order on the facts.

Mr. PAYNE. What judgment can he get on the facts? There must be some relief contemplated.

Mr. CRUMPACKER. Of course, the Postmaster-General can not make the fraud order final in proceedings of that kind until there is a judgment of the court upholding him, declaring that the conduct of the person to be affected by the order has been such as to justify the issuance of the order. Then the order will be made final in contested cases. If the court decides otherwise, then the order is not to be issued.

Mr. PAYNE. The gentleman is satisfied that the bill would not create any liability or open up the way for liability of a pecuniary nature on the part of the Postmaster-General or of the United States?

Mr. CRUMPACKER. I am satisfied of that.

Mr. HINSHAW. Does appeal lie from this judgment of the Federal court to the Court of Appeals?

Mr. CRUMPACKER. I should presume it would; like any other—that in any other proceeding.

Mr. HINSHAW. On the part of the Postmaster or the man who is injured?

Mr. CRUMPACKER. Yes.

Mr. HULL. In case of appeal the order of the Postmaster-General would be effective until the higher court had decided?

Mr. CRUMPACKER. Yes. There is no opportunity to defraud the Government. Mr. Speaker, I reserve the balance of my time.

Mr. STAFFORD. Mr. Speaker, before the gentleman sits down I would like to ask him a question. Has the bill which the gentleman has introduced, which is referred to in this resolution, the support of the Postmaster-General?

Mr. CRUMPACKER. I do not know.

Mr. STAFFORD. Was any hearing had before the committee as far as the gentleman knows? The gentleman will recognize that this matter is largely a matter that pertains to the regulation of postal affairs, rather than to matters that come within the purview of the Judiciary Committee.

Mr. CRUMPACKER. I want to save some of my time to close the debate. I submitted the bill to Mr. OVERSTREET, the chairman of the Committee on the Post-Office and Post-Roads—

Mr. STAFFORD. I will state to the gentleman that I will be pleased to yield him some of my time.

Mr. CRUMPACKER. I submitted the bill to Mr. OVERSTREET, and he said the bill ought to be passed. He has had experience enough to believe that the bill ought to pass, and all I am asking now is to give the bill a status on the Calendar, so it can be taken up on its merits.

Mr. DALZELL. What is the motion of the gentleman?

Mr. CRUMPACKER. The motion is to pass this resolution putting the bill on the Calendar as a privileged bill, so it can be taken up in the future and considered on its merits. I have not the time to go into the merits of the bill now, as it would take considerable time to debate it fully. I am simply asking now to have the bill put where the House can consider it, where it can be investigated and thoroughly considered, and then the House will be able to act intelligently.

Mr. KEIFER. I desire to ask the gentleman one question, and that is whether under the present law or regulations of the Post-Office Department any notice is given to a person who is supposed to be violating postal laws?

Mr. CRUMPACKER. In most of these cases notice is given, in some not. Now, I reserve the balance of my time.

Mr. STAFFORD. Mr. Speaker, I do not desire to take up the time of the House in a discussion of the merits of the bill, as the only purpose of the resolution which has been reported to the House is to provide for the consideration of the bill later on. I have no objection to its passage.

Mr. LITTLEFIELD. Mr. Speaker, I would like to inquire of the gentleman from Indiana what time is fixed for the consideration of the bill?

Mr. CRUMPACKER. There is no time fixed; the resolution simply gives it the status of a privileged measure.

Mr. LITTLEFIELD. Would the gentleman be likely to call up the bill before the holidays?

Mr. CRUMPACKER. No; it will not be called up until after the holidays.

Mr. LITTLEFIELD. I am interested in the bill and in favor of its general principles.

Mr. CRUMPACKER. Mr. Speaker, I ask for a vote on the resolution.

The question was taken; and, in the opinion of the Chair, two-thirds having voted in favor thereof, the rules were suspended and the resolution was passed.

VALIDATING CERTAIN CERTIFICATES OF NATURALIZATION.

Mr. BENNET of New York. Mr. Speaker, I move to suspend the rules, and pass the following bill:

The SPEAKER. The gentleman from New York moves to suspend the rules, and pass the bill which the Clerk will report. The Clerk read as follows:

A bill (H. R. 20465) to validate certain certificates of naturalization.

Be it enacted, etc., That naturalization certificates issued heretofore and under the act approved March 3, 1903, entitled "An act to regulate the immigration of aliens into the United States," went into effect, which fail to show that the courts issuing said certificates complied with the requirements of section 39 of said act, but which were otherwise lawfully issued, are hereby declared to be as valid as though said certificates complied with said section, but shall not be by this act further validated or legalized.

The SPEAKER. Is a second demanded?

Mr. HEPBURN. Mr. Speaker, I demand a second.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from New York is entitled to twenty minutes and the gentleman from Iowa [Mr. HEPBURN] is entitled to twenty minutes.

Mr. BENNET of New York. Mr. Speaker, the necessity for this bill arises out of these facts: In March, 1903, there was approved an immigration bill which had, among other provisions, this:

All courts and tribunals and all judges and officers thereof having jurisdiction of naturalization proceedings or duties to perform in regard thereto, shall on final application for naturalization make careful inquiry into such matters, and before issuing the final order or certificate of naturalization cause to be entered of record the affidavit of the applicant and his witnesses so far applicable, reciting and affirming the truth of every material fact requisite for naturalization.

Then it had this:

All final orders and certificates of naturalization hereafter made shall show on their face specifically that said affidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

It will be seen from this there was no duty cast on the applicant for naturalization. The form of these certificates was at that time as the will of the clerk of each particular court made. There were numbers of courts, county courts and higher courts, throughout the States which never heard of this law of 1903,

and they went on issuing certificates of naturalization without complying with this law. All those naturalizations were void and are void. Applications come continually to the office of the Secretary of State for passports based on these certificates, and they are all rejected, as they necessarily must be.

Mr. MADDEN. Was there not a law passed during the last session of the House validating them?

Mr. BENNET of New York. There was not. It was introduced and passed this House, but the Senate failed to concur in all of it, and the gentleman from Illinois [Mr. MADDEN] may be interested to know they amended it so as to apply to the criminal court of Cook County, Ill., only, and that at the request of his colleague [Mr. MANN] the Immigration Committee consented. The bill came before the House at a very late day of the session, too late for the bill to get through conference, and the House did concur so as to cover those particular cases in Cook County as to which question had been raised, and immediately this bill was introduced to cover the entire subject. Not only are passports impossible of granting on these certificates, but title to real property is affected, as in many of the States an alien can not take or transmit real property. And therefore there had been unquestionably hundreds and perhaps thousands of conveyances since March 3, 1903, that are absolutely void unless cured by some act such as this. I reserve the balance of my time.

Mr. HEPBURN. Mr. Speaker, the statement that the gentleman has made shows the importance of the legislation of 1903. It was important legislation. It did effect radical changes in the methods by which a great many of unworthy and undesirable citizens are thrust into the civic forces of this country. The gentleman tells us as one of the reasons why this bill should pass a most alarming condition of affairs. I can scarcely conceive it to be possible when he announces to us that very many of the courts were entirely uninformed as to the passage of this law, courts that had to deal directly with the law, courts whose duty it was to be familiar with the law, courts which had obligations and duties imposed upon them by the law. The gentleman tells us that these tribunals were entirely uninformed of the existence and character of the statute. Mr. Chairman, if that is true, then we ought to debate this matter long enough to bring this subject to the attention of everybody in the United States. This is an important subject. The gentleman has told us of the great interests that are in jeopardy by reason of the failure of Government officials to perform their sworn duties. Many titles, he says, are in jeopardy. The rights of traveling citizens are affected, and the protection of the Government withdrawn from them because of these negligently criminal offenses on the part of the courts. I am unwilling that these acts should be validated. It is very much better that the individuals should suffer, the individuals who sought naturalization, who ought to have known the possibilities of the law of naturalization, who had the duty imposed upon them to know under what terms and by what processes the valuable boon of citizenship should be given—it is very much better that those persons who now, having been advised, should go back and secure that naturalization in the proper way, which, perhaps, in some instances, at least, for fraudulent purposes, they did not seek in the proper way.

Mr. TAWNEY. Will the gentleman from Iowa [Mr. HEPBURN] permit an interruption?

Mr. HEPBURN. Certainly.

Mr. TAWNEY. Would it not be impossible for those people, whose naturalization is defective because of the things stated by the gentleman from New York [Mr. BENNET], to make a new application and be naturalized in accordance with the law at the present time?

Mr. HEPBURN. Undoubtedly. If they are entitled to naturalization, if they have not received it, if the courts have been fatally in error as to their duties, if they can not have the records made as they should be made and receive the certificate that they are entitled to under the law, they can not be deprived of that right by the negligence and failure to perform a duty of an officer of the Government. The doors of the courts are open to them now, and they ought to be required to pursue the course all other persons do under similar circumstances. No one knows what there is in this broad blanket that the gentleman proposes to throw over all the courts during the last three years. How many cases are there of this kind? How many men are there that will secure rights under this legislation, depriving others of rights, perhaps, and what are the amounts involved? The gentleman has contented himself by simply telling us that there are very many of them. I do not know how many individual cases there may be; I do not know how many thousands or tens of thousands or millions of dollars may be involved in these questioned property rights, and therefore I think

we ought to have some information upon as important a matter as this.

Mr. HILL of Connecticut. Is it not the duty of the court, if a man has made a declaration of his intention and has paid for his naturalization that is wrongfully issued, without this legislation to make good and to give him good and substantial papers in place of those he now holds?

Mr. HEPBURN. I would suggest, Mr. Speaker, that there would be no difficulty in the case of anybody who suffers under the disabilities described by the gentleman in going into court, and if he had failed to furnish these affidavits and these proofs under which the courts obtained jurisdiction—mind you, if they had failed thus far by making good their own default and vesting the court with jurisdiction, they can then secure the proper records to be made and secure the issuance of the proper certificate to be had, preserving all of their rights. And that is a very much safer way, in my judgment, than it is to have this blanket process, to enter upon a domain we do not know how broad it may be, starting on a way we do not know where it is to end, and jeopardizing the rights of other persons that we now have no ken of.

Mr. KEIFER. Will the gentleman permit me to ask him a question?

Mr. HEPBURN. I yield to the gentleman.

Mr. KEIFER. I want to ask the gentleman whether these persons whose rights of citizenship are now sought to be cured have not already been naturalized in the same way that the great majority of the naturalized citizens of the United States have been naturalized?

Mr. HEPBURN. Mr. Speaker, I presume that may be so. I do not know, and the gentleman has not informed us. But I will assume that is so. I want to remind the gentleman from Ohio that Congress solemnly resolved that these older methods were obsolete, they would no longer serve; that under these old methods there have been frauds perpetrated. The gentleman called attention to this condition in the courts. I do not know where they are.

Mr. KEIFER. The State courts.

Mr. HEPBURN. I do not know what the motives or influence may have been. The gentleman says it is ignorance, and no motive at all. I do not know what political considerations there may have been. It might have been men were trying to bring in aliens in this improper manner and get them naturalized, so that finally they might make an assault upon the ballot. I do not know. We determined that that should not continue. Therefore, the argument that may be drawn and that the gentleman seems disposed to draw, that they were following the old methods, will not suffice to influence the judgment of this House, when, at least largely, the membership has decided that the old method should no longer obtain and that the newer method was the better one. [Applause.]

Mr. KEIFER. I understand that the State courts in Iowa and in many of the other States have overlooked that statute.

Mr. HEPBURN. Why do you say Iowa?

Mr. KEIFER. Because I am informed the State courts generally throughout the United States for a time overlooked the statute and naturalized, for that reason, under the old law and old provision. They did it in my State; and these people who made the application were not to blame so much as the courts, if anybody was to blame.

Mr. HEPBURN. Why can the gentleman say that the applicant for naturalization is not to blame if he does not comply with the provisions of the law?

Mr. KEIFER. Because he makes his application on blanks that the court officers furnish him.

Mr. HEPBURN. Mr. Speaker, you must remember that a man who seeks naturalization comes asking for benefit; he comes asking for privilege, a high privilege, a privilege that is given to him with limitations, limitations that he must have knowledge of. Is it possible that the gentleman proposes to make an argument in favor of naturalization for a man who is so densely ignorant of our laws and our customs and our methods that he does not even know the statute and provisions of the statute that confer upon him this great boon of citizenship? It is not a light matter to confer upon a man citizenship of the United States, to dilute, as we often do, our political power in the States by the admission, in very many instances, of improper persons.

Mr. DALZELL. I would like to ask the gentleman from Iowa a question for information?

Mr. HEPBURN. I yield to the gentleman.

Mr. DALZELL. As I understand it, this thirty-ninth section of the act of March, 1903, provides substantially that no anarchist shall be naturalized. It also provides on the face of every certificate it shall appear that the party has made that fact

appear by affidavits prescribed under the terms of the act. Now, do I understand that this proposed law is to validate certificates that neither show that he is not an anarchist nor that he has complied with the terms of the act?

Mr. HEPBURN. That is what the gentleman from New York stated in his opening address, and that is one of the reasons that he gave for this most astonishing method.

Mr. DALZELL. Then I do not think it is worth while consuming the time of this House to do away with the force of the act of the last Congress.

Mr. HEPBURN. I will yield to any gentleman who desires to oppose the passage of this bill. [After a pause.] I will reserve the balance of my time.

Mr. BENNET of New York. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from New York has sixteen minutes remaining, and the gentleman from Iowa nine.

Mr. BENNET of New York. I yield five minutes to the gentleman from Colorado.

Mr. BONYNGE. Mr. Speaker, at the last session of Congress we passed a new naturalization law. Under that law the irregularities that have been mentioned as having occurred under the act of 1903 will become absolutely impossible. The condition is simply this: In section 39 of the act of March, 1903, the duty was not imposed upon the applicant but upon the court. At that time there were in the United States some five thousand different courts having jurisdiction under the naturalization laws. Many of these courts did not follow the provisions of this statute. They did not change the form of their naturalization certificates. It may be that they required the affidavits. It may be that they examined the applicants and determined that they were in every way qualified for citizenship; but when they came to issuing the certificate they used the old form of certificate, and did not place in that certificate what section 39 required should be stated, namely, that the provision in question had been followed.

Mr. MARTIN. Will the gentleman yield for a question?

Mr. BONYNGE. Certainly.

Mr. MARTIN. If, as a matter of fact, section 39 has been complied with in these cases, is there anything to prevent the court that issued the certificates from amending the certificate and making the proper recital?

Mr. BONYNGE. Yes; I should think so.

Mr. MARTIN. What?

Mr. BONYNGE. They can not go back and change that certificate now.

Mr. MARTIN. It seems to me if there was a mere omission in form, if the wrong form has been used, the court that issued that might correct it.

Mr. BENNET of New York. Let me suggest to the gentleman that some of the courts that issued those certificates do not now have the right to naturalize applicants.

Mr. BONYNGE. Certainly. Many of the 5,000 courts then having jurisdiction in naturalization cases, have been deprived of that jurisdiction under the new naturalization law passed at the last session of Congress. Now, at the last session, in addition to passing the general naturalization law, we did pass, as the gentleman from New York has stated, a bill authorizing the validating of certificates issued by the criminal court of Cook County. There has been some question as to whether that court was authorized, under the law then in force, to issue naturalization certificates. The court had issued a great many such certificates, and those certificates had not been issued in accordance with this section. We have validated all the certificates issued by that court, and the purpose of this legislation is only to correct, not the error of the applicants, but the error of the courts that were authorized to issue naturalization certificates.

Mr. LACEY. I should like to ask the gentleman a question. Is it not true that under the recent naturalization law blanks have been furnished by the United States Government to all these courts, so that errors like this will never occur again?

Mr. BONYNGE. Certainly. All the certificates and all the forms to be issued in naturalization proceedings are now regulated by the law enacted at the last session. They are all provided by the Federal Government and furnished to the courts that have jurisdiction in such cases. The fault was not with the applicant. The fault was with Congress in the form of the legislation that we had. We allowed this loose method to go on, and, in my judgment, it would now be wrong to work a hardship upon the applicant, not because of any fault of his, but because of our failure properly to regulate naturalization proceedings, thereby depriving many worthy citizens of their right of naturalization when they have in every respect complied with the law. The same reasons that actuated us in correcting the

error in the court of Cook County certainly should control us in respect to all other courts. It only affects this one particular feature of the law and does not in any other way validate the certificate. Unless the certificate of naturalization was properly issued in every other respect this law will not validate it, and it only validates the omission of the court. Nothing else is cured or corrected by this legislation. In my judgment the bill ought to pass.

Mr. MARTIN. Mr. Speaker, one further question.

Mr. BONYNGE. Yes.

Mr. MARTIN. Section 39, to which the gentleman has referred, seems to require the court to make certain examination as to the qualification of the applicant.

Mr. BONYNGE. Yes.

Mr. MARTIN. Upon this particular question?

Mr. BONYNGE. It does.

Mr. MARTIN. Now, if this bill is passed into law, would not the effect of it be to validate the certificate in a case where the court had not complied with the law in this respect?

Mr. BONYNGE. Not at all, because the bill provides that it shall only validate the certificates in the cases where the certificate itself has failed to show upon its face that which the law required, and then only to validate those certificates in cases where the law was in all other respects complied with.

Mr. MARTIN. Yes; but not in that respect—

Mr. BONYNGE. But in that one respect only, namely, the failure of the court in the issuance of its certificate to show upon its face that it had complied with the requirements of the law. And the bill provides that it only validates certificates in such cases. The certificate must in all other respects be legal, or else it will not be validated.

[Here the hammer fell.]

Mr. BENNET of New York. Mr. Speaker, I yield three minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Speaker, after listening to the explanation made by the gentleman from Colorado [Mr. BONYNGE] it impresses me that there is need to have the law passed, because if we do not pass it there will be hundreds and thousands of certificates of naturalization held by people throughout the country who believe they have the right to citizenship, and will never know that they have not that right until they make application for a passport or papers of some other similar character. It has not been the fault of the applicants that these certificates were not in proper form, but it was the fault of the courts that did not furnish the proper blanks necessary to carry out the law. As all the certificates that were issued prior to the enactment of the law of 1903 were in the same form as those issued afterwards, that are by this bill sought to be validated, there can not be any great harm in validating all the certificates, so that all the people who have taken out certificates will know once and for all that they are full-fledged citizens of the United States.

Mr. BENNET of New York. I now yield three minutes to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. Mr. Speaker, I am sure that no Member of this House would want, by withholding support of this bill, to do injustice to anyone who honestly sought citizenship in this country. The purpose of the bill is not to correct errors of the applicant, but rather to correct errors or oversights made by the courts in issuing the certificate.

The persons who have been naturalized within the time covered by this bill are not the undesirable persons referred to by the gentleman from Iowa [Mr. HEPBURN]. The persons who are to be affected by this bill are men of industry and economy who have purchased property. That title to such property is affected by the oversight of the courts in issuing the certificates referred to. The question may not be raised during the lifetime of the man who has by his industry secured a home for his family. The question may not be raised until after his death, and then it may be raised to the injury of those who have been left and provided for by him. I think that, in view of the fact that this is a bill to correct oversights of the court rather than of the applicant, there ought not to be any hesitation whatever in passing this law and protecting those who have acquired property and shown themselves to be honest and industrious citizens.

The Republic has not been populated wholly by native-born American citizens. Many citizens who have contributed to its greatness and glory were foreign born and have sought citizenship here in the way provided by law through the courts. They have not the responsibility in the methods pursued in naturalization, but the responsibility is upon the courts, and where the courts err the applicant, the man made a citizen, ought not to be held responsible for the error and oversight of the courts and made to suffer. I sincerely hope that the bill may pass.

Mr. BENNET of New York. Mr. Speaker, as I intend to use the balance of my time in one speech, I would like to have the gentleman from Iowa use his time.

Mr. HEPBURN. Mr. Speaker, I do not care to use all my time. If any gentleman desires, I will yield to him. If not, I would like to correct some errors gentlemen have unwittingly fallen into in regard to the character of this legislation. The gentleman from Kansas [Mr. CAMPBELL] has just said that this legislation is to correct defects resulting not from the conduct of the applicant for naturalization, but to correct errors of our courts. I deny this. That is not the language of the law. There are duties imposed upon the individual as well as upon the courts. Let me read the statute:

All courts and tribunals and all judges and officers thereof having jurisdiction of naturalization proceedings or duties to perform in regard thereto shall, on final application for naturalization, make careful inquiry into such matters, and before issuing the final order or certificate of naturalization cause to be entered of record the affidavit of the applicant and his witnesses so far as applicable, reciting and affirming the truth of every material fact requisite for naturalization. All final orders and certificates of naturalization hereafter made shall show on their face specifically that said affidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

Here is a duty imposed upon the applicant. It is an affidavit from the applicant that must be made; it is the affidavit of his witnesses that must be made and filed, not simply reciting the facts that exclude him from the class of anarchists, but recites every material fact essential to naturalization—everything—facts that the courts can not be advised of except through his affidavits—the affidavits that are antecedent to the making of the record, that must be completed before the duties of the clerk in making the record begins, or the duty of the court in authorizing the certificate begins.

Mr. BUTLER of Pennsylvania. As I understand, if this affidavit has not been made of the general qualifications of the applicant, his certificate may be invalidated without the affidavit being filed?

Mr. HEPBURN. If this act passes, these men are citizens, and they are citizens without having shown these material facts that are essential to confer the right of citizenship.

Mr. MARTIN. Mr. Speaker, I would like to obtain the view of the gentleman from Iowa [Mr. HEPBURN] as to whether as this bill is drawn its effect would not be to cure cases in which courts have not entered at all into the investigation of the facts.

Mr. HEPBURN. Undoubtedly. It cures cases that have been made since the passage of the act of March 3, 1903.

Mr. BONYNGE. Will the gentleman allow me to call his attention to the language of the bill?

Mr. HEPBURN. Certainly.

Mr. BONYNGE. The bill provides that naturalization certificates issued heretofore and under the act approved March 3, 1903, entitled "An act to regulate the immigration of aliens into the United States," went into effect, which failed to show that the courts issuing said certificates complied with the requirements of section 39 of said act, but which were otherwise lawfully issued, are hereby declared to be as valid as though said certificates complied with said section, but shall not be by this act further validated or legalized. That is, simply in those cases where the certificate failed to show that the law had been complied with, but the other provisions of law must have been complied with.

Mr. HEPBURN. Mr. Speaker, the gentleman is again in error. Let me read the statute:

All final orders and certificates of naturalization hereafter made shall show on their face specifically that said affidavits were duly made and recorded, and all orders and certificates that fail to show such facts shall be null and void.

The certificate must show that the affidavits were filed.

Mr. BONYNGE. Yes.

Mr. HEPBURN. Now, then, if the certificate does not show that, if the affidavits were filed, if they were made a matter of record, if the court had particularly inquired into all of these matters and the recitals of the records so show, it is a small matter for that man who holds this defective certificate to appear before the court and ask for the certificate that he is entitled to. It is like the correction of any mere technical error in a decree, which can be corrected in that way. There is no other party to the record. No notice has to be served upon anybody else. All this man has to do in order to secure this boon of naturalization is to go into that court and say that that certificate is informal. But I undertake to say, Mr. Speaker, that but few instances will be found where there is simply an omission in the certificate to recite facts that have in fact occurred. If the affidavits are filed, if there is this investigation, it is such a departure from the old method as to do away with the suggestion of the gentleman from New York as to ignorance of the

courts. The party was not ignorant. He knew, or his attorney that appeared for him knew, what it was necessary to recite in that certificate. These are important matters, prerequisites essential to the jurisdiction of the court, without which the court has no power to act, without which the certificate of the court is void if he issues it, and it seems to me they always would have been complied with.

Mr. BONYNGE. Will the gentleman permit another question?

Mr. HEPBURN. Certainly.

Mr. BONYNGE. You would certainly have to give notice to the applicant in some way that the certificate was illegal. The gentleman says that they should know that it is the law.

Mr. HEPBURN. It is his duty to know that he is not naturalized.

Mr. BONYNGE. This section 39 was section 39 of a law entitled "An act to regulate immigration." This naturalization section never had any place in that law, and it is very probable that the courts did not know that a law passed to regulate immigration provided new rules for the court in issuing naturalization certificates, and it is because of that fact that the courts and the applicants were not familiar with this provision of law.

Mr. HEPBURN. Mr. Speaker, these gentlemen are treating this subject as though a boon were conferred upon the Government and the people when naturalization was accepted by one of these men. I do not so regard it. I know of no boon that can be given to a man greater than that of citizenship in the Republic. It ought to be a thing valued by him. He ought to know something about the requirements. He ought to know something about the benefits conferred, and I am unwilling to treat the subject in this way, to treat it, in fact, with levity and make a farce of it, to make these requirements, and then when men contemptuously refuse to obey them to come in with this piece of blanket legislation that the gentleman himself can not tell within thousands of cases, perhaps, how far reaching it is to be. The gentleman knows nothing with regard to the property rights interested, except in the most vague manner, yet he comes to us with this piece of legislation to cover all of the cases and attempts to pass it with twenty minutes of argument under a suspension of the rules. I think that is going a long way toward treating the subject of naturalization with contempt.

Mr. BONYNGE. Will the gentleman permit another question?

Mr. HEPBURN. Certainly.

Mr. BONYNGE. Does the gentleman from Iowa think that the contempt was on the part of the applicant or on the part of the court, when the duty was imposed upon the court to make its certificate contain this showing and the court failed to comply with the law? Who was guilty of contempt?

Mr. HEPBURN. I am not going to enter into any controversy with the gentleman as to who was most derelict of duty. The court ought to have known, and the man who seeks naturalization in the United States ought to know, the law under which it is conferred upon him.

Mr. OLMSTED. May I ask the gentleman a question?

The SPEAKER. The time of the gentleman has expired.

Mr. BENNET of New York. Mr. Speaker, this bill applies not only to the man who took out naturalization, but to his wife and his children, and to anyone, native born or alien born, who bought real estate from him and holds title through him. If it applied merely to the original alien I would not advocate the bill, because, as the gentleman says, he could go back to the court and get his certificate corrected or at least take out a new naturalization; but here we have created a situation where county courts, which now by the action of this Congress are not permitted to naturalize any more, have, in ignorance of the statute, which was a section in an immigration and not a naturalization bill, issued invalid certificates.

Mr. MARTIN. Will the gentleman permit a question?

Mr. BENNET of New York. Just a question.

Mr. MARTIN. Then, if I understand, under your view of this proposed act persons would have their certificates corrected where the court had not gone into an inquiry of the facts required by section 39.

Mr. BENNET of New York. Not at all; because this law only validates certificates otherwise lawfully issued.

Mr. MARTIN. It seems to me it clearly covers cases where the court had not gone into the inquiry required by section 39.

Mr. BENNET of New York. Not at all. In large cities, such as Pittsburgh, and such a city as the one in which I live, the State and Federal courts comply literally with the Federal law.

Mr. KENNEDY of Ohio. If your theory of your bill is correct then you would have a great number of naturalization certificates in the hands of people, the certificate on its face not

showing whether it was a valid naturalization paper or not. One would have to go to the court and inquire of the record to find out whether one of these people with this paper in his possession was a citizen or not.

Mr. BENNET of New York. No; not if this bill passes.

Mr. KENNEDY of Ohio. If this bill passes, as I understand, the naturalization paper will not be valid unless the court's record contains these affidavits.

Mr. BENNET of New York. Unless the other steps were taken, yes. I will say this to the gentleman, that that same criticism applies to every naturalization certificate issued prior to the uniform naturalization law which we passed last year, and that was one of the reasons for passing that law.

Mr. GAINES of West Virginia. Will the gentleman permit a question?

Mr. BENNET of New York. Certainly.

Mr. GAINES of West Virginia. I understand this identical bill passed the last session, did it not?

Mr. BENNET of New York. No, sir.

Mr. GAINES of West Virginia. Did we not pass this law?

Mr. BENNET of New York. This bill?

Mr. GAINES of West Virginia. This bill in the House.

Mr. BENNET of New York. If the gentleman will permit an answer not quite categorical, I have just answered the gentleman from Illinois [Mr. MADDEN].

Mr. GAINES of West Virginia. I heard the answer to the gentleman from Illinois.

Mr. BENNET of New York. A bill containing this exact language, which had another section, was passed in the last days of the session. The other section cured other defects. That bill was amended to cover the court of Cook County, Ill., where they had 20,000 invalid naturalizations. Questions had been raised. The Senate concurred in our action to that extent. At the request of the gentleman from Illinois [Mr. MANN] the committee recommended concurrence and this House concurred. The House has once passed this subject-matter.

Mr. GAINES of West Virginia. Is it not true, then, if we now pass this bill we will be sending over to the Senate precisely the same proposition which the Senate during this Congress rejected?

Mr. BENNET of New York. That is absolutely correct; but we have hopes of changing the mind of the Senate of the United States.

Mr. GAINES of West Virginia. Does not the gentleman then think he is not only asking us to vote to suspend the rules of the House, but to vote to suspend the rules regulating the proprieties of legislative intercourse between the House and the Senate?

Mr. BENNET of New York. Not in the slightest degree.

Mr. GRAHAM. Will the gentleman allow me to interrupt him?

Mr. BENNET of New York. Certainly.

Mr. GRAHAM. If these affidavits are properly filed before the court, what is to prevent the court from sending word to have those certificates brought in and stamped in accordance with the law?

Mr. BENNET of New York. You can not find the people.

Mr. GRAHAM. You can notify the ones they have naturalized.

Mr. BENNET of New York. They do not know where they are now. If a man gets naturalized in Pittsburg and goes out to Oklahoma, and moves to Minnesota—

Mr. OLMSTED. Will the gentleman yield for a moment?

The SPEAKER. The time of the gentleman from New York [Mr. BENNET] has expired.

Mr. BUTLER of Pennsylvania. Mr. Speaker, is it in order to ask unanimous consent that the time may be extended? If so, I ask unanimous consent that time for the discussion of this measure may be continued for twenty minutes.

Mr. OLMSTED. I would like to have five minutes.

Mr. BUTLER of Pennsylvania. Mr. Speaker, I will change my request and ask for half an hour, fifteen minutes to be controlled by the gentleman from New York [Mr. BENNET] and fifteen minutes by the gentleman from Iowa [Mr. HEPBURN].

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. BUTLER] that the time be extended for half an hour, fifteen minutes to be controlled by the gentleman from New York [Mr. BENNET] and fifteen minutes by the gentleman from Iowa [Mr. HEPBURN]. Is there objection?

There was no objection.

Mr. HEPBURN. Mr. Speaker, I will yield to the gentleman from Pennsylvania [Mr. BUTLER] five minutes.

Mr. BUTLER of Pennsylvania. I do not care for five minutes. Mr. Speaker, I would like to state my understanding of this bill. Section 39 of the act of 1903 requires every person

who applies for naturalization to do something; and that is, to satisfy the court he is not an anarchist, that he is in sympathy with the Government of the United States. The measure considered here this morning will validate every naturalization certificate without requiring the person who applies to make the affidavit required by the thirty-ninth section of the act of 1903. Assuming that to be so, then those already naturalized, but whose certificates are deficient, will not be required to state their opinions upon the form of our Government and make the affidavit requiring them to subscribe thereto. They will not be required to qualify that they are not anarchists. They will escape the provisions of existing law. These applicants will have their certificates without having complied with the requirements of this section. Furthermore, there is nothing in this act to require their appearance in court. The court of its own motion may validate all of these certificates, and the very person against whom the thirty-ninth section of the act of 1903 was directed will be exempt from its provisions. Mr. Speaker, it seems to me that if this measure should become a law, it will entirely nullify the purpose of section 39, which we were so anxious to have inserted in the act of 1903—to provide against the naturalization of anarchists. That is all the time I care for.

Mr. HEPBURN. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, it seems to me that this is a very important bill and a dangerous one. The report accompanying it sets forth that in violation of the act of 1903 there have been thousands of certificates of naturalization issued which are null and void because there was no compliance with the requirements of that act; that there should be filed an affidavit setting forth, among other things, that the applicant did not possess those disqualifications enumerated in the act which are usually attributed to those persons whom we commonly style anarchists, and also "reciting and affirming the truth of every material fact requisite for naturalization." The certificate issued by the court must show compliance with this requirement.

This bill proposes to make all those illegal naturalization certificates valid just the same as if all the requirements of law had been complied with. To that I am opposed.

It is said in explanation that neither the court nor the applicants were familiar with the provisions of the act of Congress. There is an old legal maxim that "ignorance of the law excuses no man." Certainly it does not excuse a court or an applicant for naturalization. I am one of those who believe that naturalization is a privilege that ought not to be carelessly or illegally conferred.

Mr. BENNET of New York. Will the gentleman yield for a question?

Mr. OLMSTED. Certainly.

Mr. BENNET of New York. Ought a man's transferees of real estate to suffer for the fault of the court when the man is without fault?

Mr. OLMSTED. Mr. Speaker, the man was not without fault—his counsel was not without fault—and whether they were or not he ought not to obtain naturalization without complying with the requirements of law.

It is a very simple matter if the act was complied with and the affidavit filed. In that case it has become part of the records of the court, and it would be a very simple matter to apply to that court and have the proper certificate issued. It is a fact, Mr. Speaker, that the Attorney-General of the United States is now hunting out thousands of cases of fraudulent naturalization. I know one judicial district in which the United States district attorney has been informed by the Department of Justice that there have been some thousands of cases of fraudulent naturalization certificates. He is instructed to look them up. Now, while he is looking them up, while the Department of Justice is prosecuting them, it is proposed by one brief enactment that we shall make them all valid, no matter what the conditions under which they were issued.

Mr. BONYNGE. Will the gentleman yield?

Mr. OLMSTED. Certainly.

Mr. BONYNGE. Does the gentleman contend that the passage of this bill will in any way prevent the Attorney-General or the district attorneys in the various districts under the bill passed the last session of Congress from proceeding under the provisions of that bill to have declared null the certificates that were illegal?

Mr. OLMSTED. The trouble with this bill is that it will make them legal, although they are now illegal.

Mr. BONYNGE. Does not the gentleman see that he makes it legal only as to one requirement? The language of the bill is that the certificate which fails to show that the court issuing the certificate complied with the law, but which was other-

wise legally issued, was valid. That is, all the other provisions must be complied with. This examination must have been had, and it is only in cases where the court simply failed to give a certificate showing that it complied with the law that this bill applies, and if passed, it validates those only where the certificates fail to contain the statement required by the act of 1903.

Mr. OLMSTED. Who on earth would investigate each case and find out whether all the other requirements of the law had been complied with? Who would know? Here you propose to enact a general sweeping ratification and validation. There is nobody whose duty it would be to investigate to ascertain whether the other requirements had been complied with. But, Mr. Speaker, this particular requirement was the most important that the law imposed, that there must be an affidavit reciting affirmatively the truth of all the facts necessary to naturalization. If that affidavit has not been filed, they are not entitled to naturalization and never ought to have been granted certificates conferring that right and privilege.

Mr. BONYNGE. The gentleman speaks of the requirement that the affidavit should be filed as the most important requirement. I will agree with him, but this bill does not, as I tried to show to the gentleman, affect that provision of the law. The requirement that the certificate itself should show that the affidavit was filed the gentleman will hardly contend was so important if, as a matter of fact, it was filed. Now, this law simply deals with the certificate and nothing else.

Mr. OLMSTED. The act of 1903 says that all courts shall make an inquiry as to the truth of the facts in addition to the affidavits. This act says that if the certificate fails to show that the affidavit was filed or that the court made the inquiry, nevertheless the certificate shall be valid.

Mr. BONYNGE. If otherwise legal.

Mr. OLMSTED. But where is the evidence that the courts did make the inquiry, if the record does not show it and the certificate does not show it? I submit, Mr. Speaker, that this is a very dangerous bill. It validates thousands of naturalization certificates which never ought to have been issued and are absolutely illegal and void to-day.

[Here the hammer fell.]

Mr. BENNET of New York. I yield five minutes to the gentleman from Ohio [Mr. KEIFER.]

Mr. KEIFER. Mr. Speaker, I think we are running off into side issues somewhat and discussing questions that do not and can not arise under this bill should it become a law. The trouble urged against it is that the immigrant to this country did not come here possessed of knowledge as to the precise terms of a section of an immigration bill that related to naturalization. I make a guess that nine-tenths of the Members of this House, some of whom participated in the passage of that bill, do not remember the terms of that section. I understand that many of the State courts, in all of the States of the Union, forgot or ignored it for a time at least; and to-day we are discussing the question as to whether we shall apply a severe rule to these immigrants because they were not able to advise their attorneys, if they had attorneys, and to advise the courts that they appealed to to grant them naturalization as to what the law of the land was, and they proceeded, under all the solemnity of the old law, and succeeded in getting naturalization certificates that are substantially, if not precisely, in accord with the naturalization certificates issued in the United States for more than one hundred years prior to 1903. And yet we hesitate to say whether persons who have been thus unfortunate shall be in a situation where they can make valid, or where the courts can make valid, their certificates. We hesitate to say that their children, whose naturalization may depend upon this, shall become naturalized, because we imagine that somehow or other these ignorant immigrants could not instruct the State courts and lawyers of this country just how to prepare a certificate that was not in exact accordance with a section, not of a naturalization law, but of an immigration law. There is where we are. I think that is sufficient to be said. There is no attempt by this bill to validate fraudulent naturalization papers, for it is carefully drawn on that subject. It only undertakes to make valid the certificates which are not in form according to section 39 of the immigration law.

Mr. OLMSTED. Will the gentleman from Ohio permit me?

Mr. KEIFER. Certainly.

Mr. OLMSTED. I think the gentleman is mistaken in understanding that this bill relates only to the certificate. The act of 1903 requires an inquiry by the court into all these matters. This bill says that if the courts issuing the certificates have failed to comply with the requirements of that act, nevertheless the certificates shall be valid.

Mr. BONYNGE. Oh, no.

Mr. KEIFER. Read the closing sentence of the bill which you have in your hand.

Mr. LITTLEFIELD. That ought to be read in connection with the beginning of the section. That is, that naturalization certificates issued heretofore, which fail to show, and so forth.

Mr. BONYNGE. It is the naturalization certificate that is validated.

Mr. OLMSTED. Certificates which fail to show that they complied with the requirements of the section?

Mr. KEIFER. Yes.

Mr. OLMSTED. And one of the requirements is not only that the certificate shall show the filing of an affidavit, but that the affidavit shall be filed with the court, and that the court shall make inquiry into all those matters.

Mr. BONYNGE. That is not the effect of it.

Mr. OLMSTED. It is capable of that construction.

Mr. KEIFER. If the gentleman will read the last clause of the bill he will see it is very carefully drawn, and that it does not validate anything save and except the defect in the certificate. I think I am substantially correct in that.

[Here the hammer fell.]

Mr. HEPBURN. I yield five minutes to the gentleman from South Dakota.

Mr. MARTIN. Mr. Speaker, there seems to be some difference of judgment and opinion between Members of the House as to what would be the effect of the passage of this bill. I agree entirely with the general statement of the gentleman from Iowa [Mr. HEPBURN] upon that subject. I believe that the effect of the passage of this bill would be not only to validate certificates in which a mere recital was not made in compliance with section 39, but to validate also the certificates in cases where the other provisions of section 39 were not in fact complied with. In his argument the gentleman from New York [Mr. BENNET] held and takes the other position. The gentleman says, however, that section 39 of the act of March, 1903, is not a section in a naturalization law, but an immigration law, and that many of the courts and the parties applying for naturalization knew nothing about it. It is difficult to conceive of a case where a court has had its attention called to the language of the anti-anarchistic clause and has made the examination required by the section, and yet has failed to recite this fact on the face of the certificate, because the section itself is positive that no certificate shall be valid that does not state that on its face. There is little doubt that in all cases in which the court has actually made the examination and required the person applying for naturalization to give an affidavit that he is in sympathy with the principles of our Constitution and Government the certificate would, in fact, show it. I believe this is a most important provision. I believe in cases in which it has not been complied with the certificates ought not to be validated, and therefore oppose this bill.

As the gentleman from Iowa said, the boon of citizenship in the United States is of sufficient dignity and importance that every important provision that has been made in the statute should be understood by the person applying, and should be obeyed and followed by the court giving its final certificate.

Now, so far as the title to land passed by the Government of the United States under the homestead law is concerned, I will call the attention of the gentleman from Kansas [Mr. CAMPBELL] to the fact that a person does not have to have taken out a final certificate in order to be a valid homesteader, and if the preliminary declaration has been in proper form such a person can still apply and obtain a correct and valid final certificate.

Mr. CAMPBELL of Kansas. If the gentleman will permit me, I will state that that may be true, and I have no doubt it is, as to the certificate of a homesteader. But suppose the naturalized citizen under this law within the last three years has purchased from a citizen a homestead or home, and has since then passed title to another, who was a native-born American citizen, in what way may the defect in the title to that property be cured?

Mr. MARTIN. That would depend entirely upon the statutes of the State in which the transfer was made. But be that as it may, I take the position that since the passage of the act of 1903 no person not examined by the court as to his disposition toward the Constitution and principles of our Government ought to be admitted to citizenship, whatever may be the effect upon the claim of title to any particular piece of land. I take the position that the effect of the passage of this act would be to validate a certificate where the necessary affidavit had not been required and no proper examination made by the court at all, and for that reason I am opposed to it.

Mr. BUTLER of Pennsylvania. Will the gentleman permit me to ask him a question?

Mr. MARTIN. Certainly.

Mr. BUTLER of Pennsylvania. Why can not it be provided in this bill that the applicant whose certificate is not regular in form, because the affidavit was not made at the time he applied—to repeat, why can not we provide that when the applicant makes application for correction of his certificate he should make the affidavit provided for in section 39, and that the affidavit should be filed *nunc pro tunc*?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HEPBURN. I yield the balance of my time to the gentleman from South Dakota.

Mr. MARTIN. It seems to me that where the court has in fact made the examination there is no need of legislation. If this can be shown, that the court has made the examination and conformed to the law in every respect except as to the form of the certificate, the court could cure the certificate by conforming it to the facts disclosed in the examination.

Mr. BONYNGE. Has the gentleman taken into account the fact that we have taken the jurisdiction away in reference to matters of this kind from the court?

Mr. MARTIN. The effect of that would not be to deprive the court of the right to complete any case in which it originally had jurisdiction. The court would still retain jurisdiction to give a proper certificate.

Mr. BONYNGE. Under the terms of the act the certificate is given of the time of the examination.

Mr. MARTIN. Will the gentleman state that in the cases in which section 39 has been complied with by the making of the affidavit, and where the applicants have been examined by the court, and the section followed in all respects except as to the form of the certificate, that can not be cured by the court?

Mr. BONYNGE. That is my opinion.

Mr. MARTIN. That is not my opinion.

Mr. BONYNGE. It is my opinion further that this bill does not affect any case except those in which the court has complied with all the requirements of the statutes until it comes to the statute affecting the certificate of naturalization.

Mr. MARTIN. It is my opinion that any court that had its attention called to the requirements of this section as to the certificate of naturalization requiring these facts—

Mr. BONYNGE. The clerk issues the certificate, and he had printed forms and used the old forms.

Mr. LACEY. Mr. Speaker, I would like to ask the gentleman a question.

Mr. MARTIN. I will yield to the gentleman.

Mr. LACEY. I would like to ask the gentleman this question: Suppose a foreigner comes to the State of South Dakota and takes up a homestead; he has to be naturalized before he can prove up, and his naturalization is defective on account of this certificate.

Mr. MARTIN. He does not have to be naturalized to prove up.

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to amend my request by adding, on line 10, page 1 of the bill, after the word "section," the words "so far as rights in real property are concerned."

The SPEAKER pro tempore (Mr. SHERMAN). The gentleman from New York asks unanimous consent to amend the bill.

Mr. BONYNGE. Reserving the right to object, Mr. Speaker, I desire to ask the gentleman a question.

Mr. SHERLEY. Reserving the right to object, I want to learn what the request is.

The SPEAKER pro tempore. Pending the right to object, the gentleman from Colorado and the gentleman from Kentucky desire information.

Mr. BONYNGE. Do I understand the purpose of the gentleman from New York is to simply validate certificates in which the other provisions of the section have been complied with and the only failure was to insert in the certificate the fact that the provisions of the statute are complied with?

Mr. BENNET of New York. Yes; and then only so far as they relate to the rights in real property.

Mr. BONYNGE. The gentleman from New York handed me a suggestion, in which he had scratched out the words "which were otherwise lawfully issued." The request the gentleman now makes does not strike out those words.

Mr. BENNET of New York. It does not.

Mr. BONYNGE. Then I do not object.

Mr. SHERLEY. The gentleman from New York asks permission to amend his request?

Mr. BENNET of New York. I intended to say "amend the bill."

Mr. SHERLEY. Very well. I did not know but that some

previous request had been made of which I was not aware. The gentleman desires now to amend the bill to relate to real estate only?

Mr. BENNET of New York. Yes.

Mr. SHERLEY. I shall not object.

Mr. MUDD. Mr. Speaker, I would like to ask the gentleman if his contention is that validating the certificates of naturalization can affect title to real property in the States? I do not think it can myself. That is a matter of legislation which is entirely within the control of the States.

Mr. BENNET of New York. Yes; it can pass a law affecting a man's naturalization, upon which his title to the land depends.

Mr. MUDD. But you can not pass a law here affecting the right to acquire or to hold or in any manner to regulate titles to real estate in the States.

Mr. BENNET of New York. That is true.

Mr. MUDD. You can validate the act of naturalization upon which the State law in relation to real estate titles will take effect automatically and accomplish what is desired in relation thereto, but you can not here by an act of Congress make a partial provision as to naturalization which goes merely to the point of the acquisition or alienation of land.

Mr. BENNET of New York. My motion is to amend the bill by inserting after the word "section," in line 10, the words "so far as rights in real property are concerned."

Mr. MARTIN. I do not think that will accomplish what the gentleman from New York seeks to accomplish.

Mr. BUTLER of Pennsylvania. As I understand, if this should be adopted it will not affect anybody except those who own real estate.

Mr. BENNET of New York. The gentleman is correct. Where men have gone on under the assumption that they were citizens and were not citizens, but aliens, and either they or their heirs or their devisees have taken title, which title is absolutely invalid, then this act legalizes that certificate of naturalization for that purpose.

Mr. KENNEDY of Ohio. Mr. Speaker, I would like to ask the gentleman a question.

Mr. BENNET of New York. I will yield.

Mr. KENNEDY of Ohio. As affecting the real estate in the States, can we pass a retroactive law to make a man a citizen who is an alien?

Mr. LITTLEFIELD. You can relieve the objection of illegal naturalization, so far as that operates.

Mr. KENNEDY of Ohio. I am opposed to this bill. I think it is improper in form and something much better could be framed to accomplish the object. If the record of the court naturalizing the alien shows that all the proceedings were regular, why not provide for the issuance of a transcript; then that would obviate the alien, or the parties who now have the defective certificate, carrying around over the country a paper which does not show whether it is valid or invalid.

Mr. BENNET of New York. The trouble with the suggestion of the gentleman in this, that people get naturalized, for instance, in the courts of Pittsburg, and then move to Oklahoma or Minnesota and other States. Their certificates are burned and destroyed, and you can not obtain again the original certificates.

Mr. KENNEDY of Ohio. The law provides that we can get a transcript at any time from every court.

The SPEAKER pro tempore. Is there objection made to the request of the gentleman from New York?

Mr. GRONNA. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is made.

Mr. BENNET of New York. Mr. Speaker, I yield two minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Speaker, if this bill contemplated to validate certificates of naturalization fraudulently issued, I should certainly vote against it, but as I understand the language of this act, it does no such thing. It merely validates certain certificates of naturalization which are not correct in form, and not because of any fault on the part of the immigrant who sought naturalization, but because of the neglect or oversight of the courts who issued the certificates. Now, the question is, Shall we punish an innocent applicant for a certificate of naturalization whose certificate, in the light of this section in the immigration bill, is now invalid, or shall we state that because of a neglect of the courts these certificates shall be validated?

Mr. BONYNGE. That is all there is to it.

Mr. BARTHOLDT. Mr. Speaker, people who are concerned in fraudulent certificates of naturalization are being prosecuted to-day in all the large cities of the country. In my own city we have sent quite a number of prominent politicians to the penitentiary for fraudulently procuring naturalization pa-

pers for people. But this bill does not apply to that class. It applies to a class of innocent men.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BENNET of New York. How much time have I remaining?

The SPEAKER pro tempore. Three minutes.

Mr. BENNET of New York. I yield three minutes to the gentleman from Missouri.

Mr. BARTHOLDT. Mr. Speaker, I was going to say that it applies to a class of innocent men who were seeking the boon of citizenship of this country, who have come here with the intention of remaining in this country, who have come here with their families, who have come with the purpose of identifying themselves with the institutions of this country. When we investigate as to which party is benefiting most by the process of naturalization, I would say that, in my own humble judgment, both parties are benefited. The country is benefited by granting citizenship to a good man and a good family, and the immigrant is benefited, upon whom is bestowed that boon of which the gentleman from Iowa [Mr. HEPBURN] speaks. Mr. Speaker, I sincerely trust that this bill will pass, and I am glad that the amendment offered by the gentleman from New York [Mr. BENNET] has been objected to, because it would certainly have weakened the bill. It would have included only those who hold property and all the other thousands would hold defective certificates of naturalization, would be excluded from the benefits of this legislation although the issuing of those defective certificates was no fault of theirs.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. HEPBURN) there were—ayes 51, noes 41.

So (two-thirds not voting in favor thereof) the motion to suspend the rules was rejected.

PAY OF OFFICERS AND EMPLOYEES.

Mr. LOUDENSLAGER. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 203, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1906, on the 20th day of said month.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent for the present consideration of the House joint resolution 203. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The question was taken; and the joint resolution was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. LOUDENSLAGER, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS ALLEGHENY RIVER, PENNSYLVANIA.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 21200) to authorize the county of Allegheny, in the State of Pennsylvania, to construct a bridge across the Allegheny River, in Allegheny County, Pa., which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the county of Allegheny, in the State of Pennsylvania, a municipal corporation organized under the laws of Pennsylvania, its successors and assigns, be, and it is hereby, authorized to construct, maintain, and operate a bridge, and approaches thereto, across the Allegheny River, from a point at or near H street in the borough of Oakmont, Allegheny County, Pa., to Hulton Ferry, in the township of Harmar, in said county and State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. Is there objection?

Mr. GOLDFOGLE. Mr. Speaker, I desire to ask whether it is intended that that bridge shall be used for railroad purposes?

Mr. DALZELL. Why, the bill is in conformity with the general bridge act which we passed at the last Congress and provides for the use of the bridge by all sorts of corporations. It is the ordinary general-corporation act.

Mr. GOLDFOGLE. In other words, this is really a bill for the purpose of permitting some railroad company to use this franchise.

Mr. DALZELL. Not so far as I know; no.

Mr. GOLDFOGLE. What railroad is intending to pass over this bridge?

Mr. DALZELL. No railroad, so far as I know. It is a bridge between two large communities, one on one side of the Allegheny River and the other on the other side, and there is no bridge across within a distance of 8 or 10 miles. It is an ordinary highway bridge built by the county of Allegheny; not a corporation, but a municipality.

Mr. GRAHAM. I would also state it connects Mr. DALZELL's district with mine, and the people all want it.

Mr. GOLDFOGLE. If you two gentlemen desire to get so close together, I shall have no objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DALZELL, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS TOMBIGBEE RIVER, ALABAMA.

Mr. RICHARDSON of Alabama. Mr. Speaker, I ask unanimous consent to call up the bill H. R. 21951, and ask its present consideration.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 21951) to authorize the Alabama, Tennessee and Northern Railroad Company to construct a bridge across the Bigbee River, in the State of Alabama.

Be it enacted, etc., That the Alabama, Tennessee and Northern Railroad Company, a corporation organized under the laws of the State of Alabama, its successors and assigns, be, and they are hereby, authorized to construct, maintain, and operate a railroad bridge and approaches thereto across the Bigbee River at or near Stones Ferry, in Pickens County, in the State of Alabama, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendment is as follows:

In line 7 strike out "Bigbee" and insert "Tombigbee."

The SPEAKER. Is there objection?

Mr. GOLDFOGLE. Mr. Speaker, I desire to know the name of the railroad corporation which desires to make use of this bridge.

Mr. RICHARDSON of Alabama. It is an ordinary bridge bill in the usual form prescribed by the Committee on Interstate and Foreign Commerce.

Mr. GOLDFOGLE. The question I put was, "What corporation desires to make use of this bridge?"

Mr. RICHARDSON of Alabama. Certainly it is intended to make use of it; that is why it is to be put up.

Mr. GOLDFOGLE. I want to know the name of the railroad that is to pass over it.

Mr. RICHARDSON of Alabama. It is in the bill.

Mr. GOLDFOGLE. It is named in the bill?

Mr. RICHARDSON of Alabama. It is the Alabama, Tennessee and Northern Railroad Company.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows:

To authorize the Alabama, Tennessee and Northern Railroad Company to construct a bridge across the Tombigbee River in the State of Alabama.

LIFE-SAVING STATION, ISLES OF SHOALS, PORTSMOUTH, N. H.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the same.

The Clerk read as follows:

A bill (H. R. 189) to establish a life-saving station at the Isles of Shoals, off Portsmouth, N. H.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to establish a life-saving station at such point on the Isles of Shoals, off Portsmouth, N. H., as the General Superintendent of the Life-Saving Service may recommend.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the Indian appropriation

tion bill, and pending that, if the gentleman from Texas is here, let us see what arrangement can be made for general debate.

Mr. STEPHENS of Texas. I have not had any application for time except from one gentleman.

Mr. SHERMAN. And he is not here? What do you say, not to exceed an hour?

Mr. STEPHENS of Texas. Not to exceed one hour.

Mr. SHERMAN. I ask unanimous consent that general debate may be for one hour, one-half to be controlled by myself and one-half by the gentleman from Texas.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to.

Accordingly the committee resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 22580, the Indian appropriation bill, Mr. BOUTELL in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 22580) making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1908.

Mr. SHERMAN. I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERMAN. Mr. Chairman, the bill as now presented presents no new feature of administration. It does present certain features of legislation which if any gentleman desires to invoke the rule will necessitate the striking out of the provisions. For instance, it has been the custom for many years to make certain provisions as to the manner in which certain funds should be expended; how they could be changed from expenditure in one location or one avenue to another, and also how certain provisions as to the manner of advertising for bids for supplies and the letting of supplies, etc. These provisions have been carried in the bill ever since I first became connected with the Indian Committee, which is twelve years ago, and I do not know how long prior to that time, and we have in the bill this year made those provisions continuous, so that it will be unnecessary year after year to lumber up this appropriation bill with page after page of these provisions. It will be entirely proper for Congress at any time that it desires to do it to make a change of these provisions. It is apparent from the repeated enactment year after year that this is the will of Congress, and we attempt to shorten the bill by making these provisions continuous.

The policy of the Government in the treatment of the Indians is, as has been the policy for many years, to allot to the Indians as rapidly as possible, and to do away as rapidly as possible with the tribal occupancy of the land, to educate the Indians, to instill habits of industry into them, to enforce labor where it is necessary. Where the treaty provisions are such that the administrative officer can require them to labor for money, rather than issue rations to the Indians, to buy the food, that has been done, and that policy is continued now. And we are educating them not merely in the "three R's," not merely in the day schools, but also in the boarding schools and in the manual training schools, teaching them to be artisans, to be carpenters, blacksmiths, harness makers, and the like of that, and more than that, we are teaching the Indians, not merely the youthful ones, but the older and the middle-aged men and women, in their home, the art of farming, of grazing, of cattle raising, housekeeping, of sewing, and of washing, through the instrumentality of the practical farmers and the matrons who go from reservation to reservation and from home to home. This has been the policy for some years, and this is the policy now. In that way it is believed we will soonest reach the goal which all desire, of making the Indians self-supporting citizens.

As viewed from year to year, no striking advance can be seen in the condition of the Indians, but taking any given period of three or five or ten years, or longer, there is to be seen a very rapid improvement in their general condition. Last year in presenting the bill I read from the report in many States and Territories, from agents, from superintendents, from farmers, and the like, showing the satisfactory condition of the Indians as a whole in these various localities. The reports did not all demonstrate improvement and a satisfactory condition, to be sure, but most of them did, and the one wail that then was general, and that I find in the reports for this year as well, is the introduction of alcoholic liquors among the Indians. That is an evil which has been most instrumental in retarding the

progress of the Indians heretofore, and it still exists to a degree, stimulated somewhat by a recent decision of the Supreme Court in reference to the right of Indians after taking allotments and becoming citizens. We attempted in last year's bill, and have repeated in this year's bill, to provide for combating that evil by giving to the Commissioner a very considerable sum of money, \$25,000, for reaching without the reservation limits in fighting the introduction of liquor to Indians. Perhaps I can best show the advance of the Indians during a period of a decade or more by quoting a few figures, and I shall not quote a great many. First, the population of the Indians to-day, as shown by the last census and somewhat by agency reports since, and a little bit estimated, outside of the Indian Territory, is 192,442; the population within the Territory, 91,637, making a total Indian population of 284,079. Last year the Indian births exceeded the deaths by 316. There are more Indians in Arizona than are in any other State or Territory. There are 38,000 in Arizona, 19,000 in South Dakota, 18,000 in New Mexico, 15,000 in California, and 9,000 in North Dakota. The total fund which belongs to the Indians, held in trust by the Government for them, is \$35,000,000—I give these sums in round figures, as there is no use of particularizing to the dollar and cent—upon which the Government paid last year to the Indians \$1,721,000 in interest. To this the Indians added by the payment for their own labor throughout the United States last year \$1,331,000. Besides this, the United States is obligated, under its various treaties, to pay to Indians, in round numbers, about three-quarters of a million dollars in various ways—some of it in money, some of it in support of schools, some of it in furnishing rations, and so forth.

The total acreage of lands owned by the Indians, both allotted and not allotted, in the United States, outside of the Indian Territory, is 51,000,000 acres, or an average of 271 acres for every man, woman, and child of the Indian population in this country outside of the Territory.

First, let me say, they cultivated themselves 365,000 acres of land, and from them they produced last year three-fourths of a million of bushels of wheat, a million and a quarter of oats and barley, a million bushels of corn, nearly three-quarters of a million of bushels of vegetables, and half a million tons of hay.

Now, to illustrate the advance of the Indians, let me quote these figures: Fifteen years ago there were 75,000 Indians wearing citizens' dress; ten years ago, 81,000, and the last fiscal year for which we have a full report, 116,000. Ten years ago those who wore citizens' clothing, in part, were 31,000; last year, 43,000. Those who could read the English language fifteen years ago were 27,000; ten years ago, 33,000; last year, 63,000. Those who could speak the English language fifteen years ago, 31,000; ten years ago, 41,000, and at the present time upward of 70,000, the last report showing 70,000. The number of dwellings occupied by the Indians fifteen years ago were 20,000; ten years ago, 23,000; now, 28,000. The number of church buildings fifteen years ago, 198; ten years ago, 371, and now, 390. Church membership has increased during the last ten years from 20,000 to 38,000. So that, as I say, these figures show a reasonably satisfactory progress on the part of the Indians throughout the United States. The school enrollment for the last fiscal year has not increased over the school enrollment of the prior year. The average attendance during the last year is slightly greater than the year before. However, with an enrollment of over 30,000 out of a population of 200,000, it seems to me that we have somewhere near reached the high-water mark in school attendance. The reports from the various school superintendents show a satisfactory condition in reference to the education of the pupils in the various schools and from the various reservations. We have about 300 Indian schools—23 large nonreservation boarding schools, the largest of which is Carlisle, the next Chilocco, and the next Haskell, Kans. Over a thousand pupils are educated at Carlisle. At some of the larger schools the so-called "outing system" is in operation, the results of which are uniformly satisfactory. The Indians during the vacation are farmed out, and farmed out with very great care, to families where they are taught the art of housekeeping and farming and the like from a practical standpoint.

There has been much agitation both in and out of Congress in reference to so-called "contract schools." Congress about ten years ago declared that after a specified time named in the act Congress should no longer appropriate to these contract schools—"sectarian schools," as they were then called. Since 1901 Congress has not so appropriated, but under the direction of the Executive certain treaty funds and certain trust funds have been used for the support of some of these schools. Under a ruling that has been made the treaty funds are no longer used for that purpose. Trust funds are used where the tribes petition that they be so used. At the present time there are con-

tracts with less than half a dozen schools, in which there are educated less than 300 children under these contracts. But there are so-called "sectarian schools" still maintained by various denominations—more by the Catholic Church than by any other denomination—schools in which about 3,500 Indian scholars are educated and supported or maintained by the Catholic Church, Presbyterian Church, Lutherans, Episcopalians, Dutch Reformed, Methodists, and possibly other denominations. The fact is that they do this with money that they raise in their own way, with which Congress has naught to do. Of these schools, I think there are forty-five, and the Catholic Church supports, if I remember correctly, twenty-nine, and the other sixteen are supported by the various other denominations. The care and maintenance of the pupils in these schools is satisfactory.

Now, Mr. Chairman, with this I hope not too lengthy explanation I reserve the balance of my time. When we come to the reading of the bill, I will be glad to explain any item that any Member of the House desires to have information upon.

Mr. LITTLEFIELD. Before the gentleman sits down—

Mr. SHERMAN. If the gentleman will permit me, just one moment. I neglected to take up the report. It discloses these facts: That, first, the total amount that is proposed to be appropriated is \$8,200,000. Last year the total amount was \$9,400,000. Now, it is proposed to appropriate a sum in excess of the estimates by the Department. We have provided for \$300,000 rather than \$150,000 estimated for the support of schools in the Indian Territory, and this money is expended not merely for the education of the Indians, but for whites as well, during the transition period from the condition of tribal ownership to coming in under the State government.

These schools, by the way, are contributed to not merely by this appropriation, but also by certain funds that come to the tribe for royalties on certain lands which have been leased, and also from fees for certain court proceedings. So that while the facts are that last year more white people were educated in these schools than Indians, \$150,000 was appropriated by Congress, and the balance of better than \$400,000 was expended out of the Indian fund. Now, I will yield to the gentleman from Maine.

Mr. LITTLEFIELD. The gentleman referred to a ruling by the Department in relation to treaty funds. Would he be kind enough to state just exactly what the ruling was, so that we can get an idea of the situation.

Mr. SHERMAN. The idea was that the trust funds could be used for the education of the Indian children in any schools that the owners of the fund desired them to be educated in; wherever the Indians of any tribe petition that a portion of their fund should be used for the education of their children in any particular school that it should be so used.

Mr. LITTLEFIELD. But the tribe had to take the initiative?

Mr. SHERMAN. Yes; by petition.

Mr. LITTLEFIELD. The trust funds are being so used, but the treaty funds are not.

Mr. SHERMAN. That is correct.

Mr. LITTLEFIELD. The trust funds are being used for the benefit of the cestui que trusts?

Mr. SHERMAN. Yes. The treaty funds are not used in this way, but when the Indians petition that the trust funds be used in any particular way for educational purposes they are so used.

Mr. LITTLEFIELD. Has there been any ruling in relation to the use of the treaty funds?

Mr. SHERMAN. The ruling has been that they could not be so used.

Mr. LITTLEFIELD. Could not be used on the petition of the tribe?

Mr. SHERMAN. No. The Department has declined so to use the treaty funds.

Mr. LITTLEFIELD. Under what circumstances was that ruling made?

Mr. SHERMAN. There is some action pending in some court, on the application of somebody somewhere, representing one of these schools, for a determination of that question. I have forgotten whether it be in the nature of a mandamus proceeding or an injunction proceeding, but I say there is now pending a proceeding to determine whether or not the Department shall use the treaty funds upon the application of the Indian tribes. Pending the determination of that action, the funds are not being so used.

Mr. LITTLEFIELD. The bill last year from your committee, appropriating for the Indians, as I remember it, carried quite a large increase in salaries and in the number of officers, something in excess of \$100,000. Is the gentleman able to state what the fact is in relation to the present bill?

Mr. SHERMAN. The gentleman is in error in his recollection of last year's bill. It did not do anything of the kind.

Mr. LITTLEFIELD. My recollection is that it provided for a large number of extra officers.

Mr. SHERMAN. No.

Mr. LITTLEFIELD. I thought it did.

Mr. SHERMAN. The gentleman's recollection is at fault.

Mr. LITTLEFIELD. What is the fact about this bill so far as the creation of new offices is concerned and the increase of official salaries?

Mr. SHERMAN. We create no new offices. I am glad the gentleman made the inquiry, because it brings to my mind one subject I have not discussed. We have heretofore appropriated specifically for the superintendents of the various schools. We make this change in this bill: We divide the schools into four classes. Class 1 is made up of boarding schools that have 100 students or less; class 2, those having from 100 to 200; class 3, above 200 and below 400; class 4, above 400; and we provide that the salaries of superintendents in class 1 shall be not exceeding \$1,200; in class 2, not exceeding \$1,600; in class 3, not to exceed \$2,000, and in class 4, not to exceed \$2,500.

These salaries are to be fixed by the Commissioner of Indian Affairs. The idea was this: Now the superintendent is put at a school, say, with a salary of \$1,200. No matter how efficient he may be, that is all he can get in that school, and the only way to give him promotion is to take him to some other school. The Commissioner believed, and the committee thought he was correct in his idea, that to provide this sliding scale, as it were, the Commissioner could bring a new man into the service, put him at a school in class 2, pay him in that school a salary of \$1,300 or \$1,400, and say: "Now, when you have brought this school up to a higher grade than it now is, when you accomplish a little more than has heretofore been accomplished, I will raise your salary to the maximum of \$1,600." In other words, he believed that stimulant before the superintendent will result in the betterment of the service, and the committee thought he was right in that regard.

It does not increase the number of superintendents, but it increases slightly the appropriation, because there are a few schools, two or three, where the number of students is above 400, and the salary now appropriated is less than \$2,500. But it does not of necessity follow that the Commissioner will fix the salary at \$2,500. For instance, take the Riverside School, California, where there is as efficient and capable and fine a superintendent as in any school in the country, regardless of color of the students, and the salary is \$2,250, and as far as I know the superintendent is entirely satisfied. I imagine the Commissioner will not think it necessary to raise that salary above the \$2,250, which it is at present. But the maximum is \$2,500, and we appropriate the maximum, so that if the Commissioner sees fit to use it he can. But that means all told only twelve or fifteen hundred dollars.

The gentleman from Maine must understand that in this bill we do not appropriate for the officers here in the city of Washington, only the officers in the field. We never do appropriate for the administration in the office at Washington—that is carried in the legislative bill. All this bill cares for is the administration in the field and the obligations of the Government by way of treaty and gratuities.

Mr. LITTLEFIELD. Are there any increases appropriated for in the bill other than those which the gentleman has described?

Mr. SHERMAN. I do not remember now whether we appropriate more for the Indian Territory work than we did last year, but unless we do there is no other increase.

Mr. LITTLEFIELD. That would be in connection with the increased appropriation for schools in the Indian Territory?

Mr. SHERMAN. Yes; my recollection is that we appropriate less for the work in the Indian Territory this year than we did last year, except school work that I spoke of. Mr. Chairman, I reserve the balance of my time.

Mr. STEPHENS of Texas. Mr. Chairman, I think the committee is to be congratulated for the reduction in expenditures in this bill from that of last session. The amount appropriated for 1907 was \$9,405,198, and the amount carried in this bill is \$8,203,068, making an excess of last year over this year of \$1,202,131.

I desire further to state, Mr. Chairman, that there is but little new legislation in this bill. Among the items of new legislation I find this, an item which capitalizes the fund of the Iowa Sac and Fox tribe of Oklahoma, and enables the Secretary of the Treasury to pay the sum of money to their credit on his books, and on which the Government is now paying interest.

Mr. CURTIS. I beg the gentleman's pardon, but these are Kansas Indians and not Oklahoma Indians.

Mr. STEPHENS of Texas. I understand; but it is merely a

provision that enables the money to be paid out according to the indorsement of the Secretary of the Treasury.

Mr. MURDOCK. Mr. Chairman, I should be glad if the gentleman will explain this process of capitalization.

Mr. STEPHENS of Texas. Where a fund has come to the Indians under different treaty stipulations, capitalizing it is putting it all together and paying it off in bulk to the Indians under the direction of the Secretary of the Interior and the Commissioner of Indian Affairs. They get all the money due them, but it is capitalized and paid to them under their instructions, so as to save so much trouble and bookkeeping. It is simply a matter of bookkeeping.

There will be found in the bill a raise of from \$150,000 to \$300,000 which was appropriated last year for schools in the Indian Territory. We find that the amount we appropriated last year was wholly insufficient for the purpose of carrying on the schools in the country. This is outside of the towns. So we simply doubled it this year and let it carry \$300,000.

I disagree with the chairman of the committee and with the majority of the committee, and have for some years, with reference to the use of trust and treaty funds for sectarian schools. I have bills pending to correct that trouble, as I so regard it, but have been unable to get the Committee on Indian Affairs to see these things in the light that I see them. I think all of these trust funds and the treaty funds coming to the Indians should be used in Indian Government schools, and that no part of it should be farmed out to any sectarian school of any kind or character. I believe that the principle is wrong. Another matter to which I desire to call the attention of the House is this: We find a great many Indians who have become citizens of the United States under a recent decision—I believe the Hough case—where an Indian in Kansas had some one sell him whisky. The man who sold the Indian the whisky was prosecuted. He defended on the ground that the Indian was a citizen of the United States, because his land had been allotted to him. He was convicted in the lower court. The case came to the Supreme Court of the United States, and they reversed the lower court and held that after allotment of lands to Indians they become citizens of the United States, and hence it was no offense to sell whisky to a citizen of the United States. I believe it is wrong for Congress and the United States to have to educate children of the citizens of the United States, and I take the broad ground that when these Indians have their lands allotted to them that they do become citizens of the United States and that they should be taken off the General Government and that the States and Territories where they live should provide for educating them; that they should be mixed among the children of the schools of the State or Territory and become part and parcel of the schools of the State or Territory where they reside. I do not think it is fair for the entire United States to be taxed; for the Government of the United States to go into the various States and Territories where these Indian reservations happen to be and appropriate \$167 per capita to each one of these Indians for the purpose of educating what are now citizens of the United States simply because they may have one-sixteenth or one-eighth of Indian blood in their veins.

If we adopt this policy when these allotments are made and these people become citizens of the United States, and turn them over to the States or Territories, then we will have this Indian problem solved in a very few years, because we have very justly adopted the policy of allotting the lands to the Indians and making them citizens, and we should let them become a part and parcel of the great body of our citizens. Then the local legislatures of the States or Territories should take control of them, and that would relieve the Congress of the United States from the burden. It would relieve the Treasury of the United States from the burden, and in that way the Indian problem would soon be solved.

Mr. WEBB. Mr. Chairman, I notice that the chairman of the committee, the gentleman from New York [Mr. SHERMAN], stated that there were forty-five sectarian schools in the Territory, twenty-nine of which were Catholic and the others Protestant. Do all of these sectarian schools there share in this trust fund that the gentleman speaks of?

Mr. STEPHENS of Texas. No; that is done in this way. It is done on petition of the tribe, as I understand it, to the Secretary of the Interior to be permitted to use so much of their fund as is available for that year; and they select the school, whether Catholic, Presbyterian, or whatever it may be, to which they desire to send their children. I object to that, for the reason that you will have a petition going the rounds for one kind of school and another for another; as, for instance, for a Presbyterian and for a Catholic school; and you thus have a sectarian trouble among those Indians. I maintain that all of these funds should be used only in Government schools, under

the control of the Government, and not under the control of any sectarian teacher whatever.

Mr. WEBB. Is there any one of the churches that receives the largest share of this trust fund?

Mr. STEPHENS of Texas. I think the Catholic Church, as the chairman has stated, has twenty-nine out of forty-five.

Mr. Chairman, I now yield such time as I may have left to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, the bill under consideration for Indian appropriations is absolutely safe in the hands of the Committee on Indian Affairs, and especially as the chairman [Mr. SHERMAN] has the full confidence of every Member of this body. Indeed it would be safe, in my judgment, to adopt the recommendations and approve the bill as a whole without discussion or change of any character. [Applause.]

Therefore I shall devote the period allotted me to the necessity of larger appropriations for the improvement of the nation's waterways, the best and cheapest manner of handling the country's products.

These are nature's common carriers and will solve the vexed problem of transportation and railroad-rate regulation.

A great congress of commercial bodies, representing every section of the country, with an attendance of 1,000 delegates, met in this city December 7 and 8, 1906, to discuss ways and means to bring about the desired results. Speeches were made by distinguished men known for their civic pride and sterling patriotism, resolutions unanimously adopted demanding at least \$50,000,000 annually for river and harbor improvements, and a permanent organization effected, with that zealous and untiring colleague of ours, the gentleman from Louisiana [Mr. RANSDELL], at its head as president.

The country should awaken from its apathy and get behind this grand and praiseworthy organization, creating and stimulating a strong active public sentiment in favor of the project advocated. In this way the Congress of the United States, ever responsive to public sentiment, will see to it that a sufficient amount of the annual revenues of the Government is appropriated for this purpose, and that, too, before the moneys are devoted to other and less important objects.

While in favor of a good navy and a well-equipped, limited-number army, I do not advocate excessive and yearly increasing appropriations for these objects, and especially not at the expense of the improvement of the great waterways of the country now actually needed to transport the rich products of the farm, the mine, the forest, and the factory.

Representing a district with forty-odd miles of navigable water front and a population of 400,000, I am particularly interested in this matter. This district has such well-known waterways as the Hudson, East, Bronx, and Harlem rivers, Long Island Sound, Westchester and Eastchester creeks, and Bronx Kills, all tidal streams, with an immense traffic; all under improvement by the General Government except the Kills.

What is demanded by my people and those of the Empire State is that the improvements now under way be speedily completed, and not drag along another quarter or half a century in most of the improvements, as has been the case. Take the Harlem River, 8 miles in length and with a commerce the last year of 9,998,021 tons, valued at \$270,210,309, and a contiguous population to be benefited of 850,000. It has been under way since 1874, nearly thirty-three years. The Borough of the Bronx, the upper part of the Eighteenth Congressional district, which I have the honor to represent, one of the five great subdivisions of New York City, has a population of over 300,000, an assessed valuation January, 1906, one year ago, of \$360,543,727. Its growth is phenomenal, increasing at the rate of 35,000 yearly, due to its great natural advantages. The new buildings erected in 1906 will approximate \$40,000,000 in value, mostly homes for the great middle class of our people, who are coming into the borough. New docks are being built and many more in contemplation, eventually making these waterways one solid line of wharfs and storehouses, thus giving relief to the congested state of affairs in the lower part of the city, now the center of great commercial activity. [Applause.]

When it is remembered that more than one-half of the foreign and coastwise trade enters or leaves the port of New York the importance of these waterways will be appreciated.

In addition to all this there will be a largely increased traffic from the Lakes and the great Northwest when the canal system of the State of New York, upon which \$101,000,000 is now being expended, is completed, which will be an accomplished fact in the next decade.

I desire to add as a part of my remarks the very able and interesting report made to the Hon. THEODORE E. BURTON, chairman of Rivers and Harbors Committee, under date of December 15, 1906, by the Hon. James L. Wells, of the North

Side Board of Trade, an organization of nearly 500 prominent business men in the Borough of the Bronx. Mr. Wells was for six years the president of this influential body of distinguished citizens and is an acknowledged authority on real estate, taxes, and assessments and the charter of Greater New York, having been one of its framers. [Applause.]

Now, with a growing sentiment all over this land of ours that the railroads are no longer able to carry the products of the country, no longer able to give relief in the way of fuel, as I have observed in the morning papers, in the West, where cities are suffering to-day from the severe cold, because of the inability of the railroads to carry the fuel necessary for those places; inasmuch as so distinguished a gentleman as James J. Hill, president of the Northern Railroad Company, in a recent letter stated that the improvement of our waterways was an absolute necessity if we desired to have the products of the country carried to the markets; if this is the case, and I think it is, the railroads being no longer able to perform the duties for which they were chartered and built, it is time, I should think, my colleagues, to do something to improve and complete the various waterway projects under way in order that these natural channels of commerce and trade may be able to come to the rescue of the railroads, especially in the matter of heavy freight, and be enabled to give what is necessary for the prosperity and comfort of its people. Not only that, but by the river and ocean methods we are enabled to carry freight, particularly heavy freight, so much cheaper—I think about eight times less than it can be done by railroads. Therefore I trust that the recent congress which met here in convention will have a salutary effect upon this body, so that larger sums may be appropriated for the improvement of our rivers and harbors under the direction of that able committee, a committee that has never been charged with any wrongdoing nor lack of interest in the matter, a committee that has given the best of their time and their ability to bring out bills which were for the benefit of the whole country. I trust, therefore, that this Congress will pass a bill during this session that will give the needed relief to the whole nation in the way of larger appropriations for the improvement of our rivers and harbors. [Applause.]

Statement submitted by James L. Wells, representing the North Side Board of Trade of the city of New York, in favor of an appropriation for the completion of the Harlem Ship Canal.

MR. CHAIRMAN AND GENTLEMEN: The North Side Board of Trade of the city of New York has requested me to respectfully submit for your consideration the following statements in favor of an appropriation for the completion of the Harlem Ship Canal.

1. THE ADVISABILITY OF THE WORK.

The nature of the improvement.—This improvement consists in widening and deepening the channel of the Harlem River and Spuyten Duyvil Creek in the city of New York, so as to make a continuous ship canal connecting the waters of the Hudson River with those of Long Island Sound.

This is not a new, local, or expensive proposition.—It is one of the oldest and most meritorious projects of its kind in the United States.

Always navigable streams.—Ever since their discovery by the Dutch the Harlem River and Spuyten Duyvil Creek have been regarded as navigable streams. In colonial times and long afterwards they furnished the natural waterway for the farmers of Manhattan and the great territory beyond to transport their products and supplies to and from the city of New York. During our war for independence they were constantly used by the contending armies for the transportation of troops, munitions, and provisions to the numerous forts along their banks.

The available depth of the water in these streams before their improvement by the United States began was from 8 to 10 feet.

Part of the canal system of New York.—The improvement of these waterways formed an essential part of the original plan of Gouverneur Morris for connecting Lake Erie with the ocean. Governor De Witt Clinton, of New York, gave this project his hearty approval. He formulated the necessary legislation for its accomplishment by the State of New York, and would have secured its enactment had it not been for his untimely death.

An arm of the sea.—In 1837 the learned Chancellor Walworth judicially decided that "the Harlem River is a public highway and an arm of the sea." (Renwick v. Morris, 7 Hill, 575.) Vice-Chancellor McGoun in 1839 also decided in the Matter of the Water Commissioners that "the Harlem River is a navigable stream. The tide ebbs and flows through it. It is an arm of the sea." (3 Edwards Chancery Reports, 289-291.) The legislature of the State of New York also finally deemed it to be unwise to subject these waters to the control of private individuals or corporations desiring to improve their navigation and collect tolls.

Comparative availability.—The coast survey hydrographic charts and other official maps established the fact that the natural navigable capacity of the Harlem River compared favorably with any of the harbors on the Atlantic coast from Eastport, Me., to Jacksonville, Fla. Those competent to judge declared that the lower Harlem was a better stream for commercial purposes than the Seine at Paris. (See report of Hon. Andrew H. Green, New York park commissioner, 1868.) Others positively assert that it compared favorably with the Clyde at Glasgow, the Weser at Bremen, and the Elbe at Hamburg.

The public necessity of improving the Harlem River and Spuyten Duyvil Creek, and of converting these streams into a ship canal, was determined by the United States authorities in 1874, more than thirty-two years ago.

A great convenience.—In 1874 Congress made a small appropriation

for the survey of these streams. In 1875 Col. John Newton, United States engineer, in charge of the work, in his report to General Humphreys, Chief Engineer, United States Army, recommending the improvement, said "it would, if made, constitute a great convenience for vessels passing through the Harlem to Long Island Sound." He also said in his report, "it must be the depot for vast supplies of lumber, stone, brick, cement, lath, lime, and other building materials."

Official investigations.—Congressional committees, as well as the engineers of the War Department, have frequently examined and reported in favor of the improvement.

A part of New York's harbor.—The Board of Engineers, on December 7, 1892, answering certain questions submitted to them in reference to the improvement, said: "The Harlem River, in its natural and present condition, is a large and important part of New York's harbor, and offers location for wharves, manufactures, and shipyards superior to any unoccupied water fronts on Manhattan Island. The rapidly increasing demands of commerce and navigation preclude the notion that anything should be done to diminish the harbor accommodations." (See report of General Schofield, United States Army, to Senate Committee on Commerce.)

Benefits resulting from the work.—Secretaries of War have from time to time officially reported to Congress that the work already done has made a reduction in freight rates, increased the facilities for handling shipments, caused a material saving in the time and cost of transportation, and that the completion of the work would constitute a great convenience to vessels passing through the canal to Long Island Sound.

Indorsements and petitions.—The advisability of this improvement has been indorsed by the legislature of the State of New York, by the legislative department of the city of New York, by chambers of commerce, boards of trade, and other organizations, and by thousands of prominent business men in all the large cities between the Atlantic coast and the Mississippi River. The petitions are matters of official record.

Further discussion unnecessary.—The time has long since elapsed for a further discussion of the advisability of this important project. The General Government is already committed to the prosecution of the work to completion by the large sums of money it has already expended upon it and the heavy expenses it has imposed upon the city of New York.

If this improvement was advisable in 1874 and 1886, when authorized by the Government, it certainly is much more so now, with the extraordinary growth of the city, State, and nation in population, wealth, commerce, and manufacturing enterprises.

The growth of city shows its necessity.—The phenomenal growth of New York City north of Ninety-eighth street shows the necessity of this improvement. This growth alone would justify the most liberal expenditures by the General Government in order to facilitate commerce by the completion of the work.

In 1874, when Colonel Newton's plans were adopted by the War Department, the portion of Manhattan on the southerly and westerly side of the Harlem River was comparatively sparsely settled, and the assessed value of its real estate was only about \$70,000,000. Now its population is over 500,000, and the assessed value of its real estate is over \$700,000,000.

In 1874 the population of that part of the city of New York north and east of the Harlem River, now called "the Borough of the Bronx," was about 36,000, and the assessed value of its real estate was about \$22,000,000. Now upward of 350,000 people have their homes and their business interests in the Bronx, and the assessed value of its taxable real estate was, in January, 1906, \$360,543,727.

Since January 1, 1881, the estimated cost of new buildings erected in the Bronx has been approximately \$229,000,000. The cost of those erected during the past three years has been approximately \$90,000,000.

These figures show a total population on both sides of the Harlem River of over 850,000. This is a population greater than that of any one of sixteen States of the Union and greater than that of five of them combined. This is a population greater than that of the whole State of New York when the Erie Canal was first suggested.

These figures also show that the taxable value of real estate alone contiguous to the Harlem River is greater than the total combined taxable value of all the real and personal property in any one of thirty-four States of the Union and greater than that of eleven of our States together.

A growth so extraordinary as this in itself creates commerce, and the Harlem River, situated, as it is, in the center of this great population, is the natural carrier and its docks the storage and distributing depot for the bulky merchandise of this large and enterprising community.

Why the improvement is advisable.—We hold that the completion of this improvement is advisable for the following, among other, reasons:

1. It is in the interests of commerce, present and prospective, of the whole country, and especially of the Atlantic coast and the Great Lakes.
2. The United States Government is pledged to finish the work expeditiously, and as a condition precedent thereto has required the city of New York to comply with its terms and to expend large sums of money in furtherance of the project.
3. It will afford a new, shorter, and safer route for State and interstate commerce.
4. It will reduce the cost of transportation and save thousands of dollars annually in time and money.
5. It will enlarge the capacity of the harbor of New York by adding to it 8 miles of available water front.
6. It will assist in relieving the congestion of the docks in the lower part of the city of New York.
7. It has already and will continue to cause large transfer freight stations and new commercial and manufacturing interests to locate on either side of the improved ship canal.

2. THE PRACTICABILITY AND PROGRESS OF THE WORK.

The geographical position of the Harlem River demonstrates the practicability as well as the advisability of converting that stream and its natural extensions, Spuyten Duyvil Creek and Bronx Kills into a ship canal.

No great engineering difficulties are connected with the project.

The plans for the project.—The original project was adopted by the War Department in 1874. The existing project was adopted June 18, 1878, and modified and enlarged October 7, 1886. These final plans provide for a continuous channel about 7 miles long, 400 feet wide, and 15 feet deep at mean low water, from the East River to the Hudson River, except about 1,300 feet north of High Bridge, where the width

was made 354 feet, and the rock cut through Dyckmans Meadow, where the width was reduced to 350 feet and the depth increased to 18 feet. (See Annual Report of Chief of Engineers, 1906, Appendix E, p. 129.)

Progress of the work.—Actual work under the existing plan on the improvement began in January, 1888, and has progressed slowly since that time. The work has been confined to the Harlem River and Spuyten Duyvil Creek. No actual work has yet been done on the Bronx Kills.

What has been accomplished.—The most expensive part of the work, namely, the rock cut through Dyckmans Meadow, has been completed. The engineer in charge, in his report for 1906, says work has resulted "in completing a channel 150 to 400 feet wide and 15 feet deep at mean low water from the Hudson River to the East River. From McCormick's Dam Bridge to the East River the width varies from 150 to 400 feet wide." (See Annual Report of Chief of Engineers, 1906, Appendix E, p. 129.)

3. ESTIMATED COST OF PROJECT, AMOUNTS HERETOFORE APPROPRIATED, AMOUNTS ALREADY EXPENDED, AMOUNT NECESSARY TO COMPLETE THE IMPROVEMENT.

The estimated cost of the work for the improvement of the Harlem River and Spuyten Duyvil Creek is \$2,700,000. (See Annual Report of Chief of Engineers, 1906, Appendix E, p. 129.)

Amounts appropriated.—The appropriation for the improvement of the Harlem River have been made in inadequate installments, averaging about \$40,000 per year, as follows:

1874	\$11,000
1875	10,000
1878	300,000
1879	100,000
1888	70,000
1890	250,000
1892	175,000
1894	125,000
1896	125,000
1899	100,000
1902	75,000
1905	75,000

Total 1,416,000

(See Report of Chief of Engineers, 1906, Appendix E, p. 956.)

The amount expended on this improvement from 1874 to the close of the fiscal year June 30, 1906, was \$1,332,551.91. (See Report of Chief of Engineers, 1906, Appendix E, p. 129.) This has been at the average rate of \$41,600 per year.

The amount required to complete the work, according to the report of the Chief of Engineers above mentioned, will be \$1,305,000, or less than the one-half of 1 per cent of \$270,000,000, the value of the tonnage carried on the Harlem Ship Canal during the year 1905. If appropriations in the future be made at the same average annual amounts as in the past, it will require thirty-one years longer to complete the improvement.

The cost of maintenance.—This can not now be determined, as the improvement is not yet completed. Engineers with whom we have consulted assure us that the cost of maintaining the improvement when finished will be comparatively light.

4. THE CHARACTER, AMOUNT, AND VALUE OF COMMERCE EXISTING OR REASONABLY PROSPECTIVE WHICH WILL BE BENEFITED BY THE COMPLETION OF THE HARLEM SHIP CANAL.

The character of the commerce on the Harlem is shown by the class of vessels using the river and by the great manufacturing establishments, the numerous railroad freight stations, large lumber, brick, coal, and other businesses established in or contiguous to the stream.

Vessels employed in trade on the Harlem, 1905.

Class.	Trips made.	Tonnage.	Draft.
Steamboats.....	33,882	50 to 541	Feet.
Sailing vessels.....	850	90 to 1,000	8 to 15
Barges, canal boats, and lighters.....	26,051	90 to 700	5 to 22
Total.....	59,683		4 to 30

(Report of Chief of Engineers, 1906, Appendix E, p. 957.)

The following statistics compiled from reports of the Chief of Engineers of the War Department show the character of commerce on the Harlem River during the years 1904 and 1905:

	Tonnage, 1904.	Tonnage, 1905.
Ashes, etc.....	263,495	278,419
Building stone.....	160,264	136,963
Brick.....	880,908	310,645
Cement, lime, and sand.....	193,556	471,600
Coal and other fuel.....	2,516,288	3,105,788
Fertilizers.....	14,328	
Fruit and farm products.....	3,103	5,102
Grain, flour, and feed.....	377,142	544,134
Hay and straw.....	72,858	20,836
Ice.....	172,493	200,402
Iron.....	25,085	63,188
Lumber and timber.....	127,216	304,634
Merchandise, general.....	4,264,077	4,506,500
Petroleum.....		51,850
Total tonnage.....	9,130,763	9,998,021

The amount of commerce existing.—The commerce of the Harlem River, which is steadily increasing, is so intimately connected with that belonging to the East River and New York Harbor that a separate statement can not be accurately made. Investigations instituted by the North Side Board of Trade show that the amount is much larger than that stated in the Report of the Secretary of War for the year 1905.

The average increase in the amount of freight handled by the larger shippers on the river who have reported to our board was in 1905 36 per cent over that of 1904.

The amount of tonnage and the value of the same carried on the Harlem River are shown in the following table compiled from the reports of the Chief Engineer of the War Department:

Year.	Tonnage.	Value.
1886.....	1,663,844
1887.....	2,542,155
1889.....	3,093,939
1890.....	2,384,466	\$115,506,425
1893.....	5,910,376	190,149,712
1895.....	7,533,594	203,707,376
1903.....	6,910,386	282,186,100
1904.....	9,130,763	231,384,004
1905.....	9,998,021	270,210,309

The value of the tonnage carried on the Harlem in 1905 was \$270,210,309, an amount as large as the total combined value of all the taxable real and personal property of six of the States of the Union, and as great as that of the total taxable value of real and personal property in any one of seventeen of them.

Such an amount of commerce justifies every dollar spent upon the improvement of the important waterway. The demands for the completion of the work should not be ignored.

Comparison of tonnage values.—The value of tonnage transported upon the Harlem River in 1905 as compared with the total export and import trade of the United States with other countries during the same time is shown by the following table compiled from the Tribune and World Almanacs for the year 1906, said figures being taken from the Bureau of Statistics, Department of Commerce and Labor:

Great Britain.....	\$898,278,364
Germany.....	312,637,347
Asia.....	290,038,894
Harlem River.....	270,210,309
Mexico and West Indies.....	250,804,613
France, Spain, Portugal, and Africa.....	230,977,815
Central America.....	230,164,294
South America (all countries).....	207,661,966
British America.....	206,672,457
Belgium, Netherlands, Sweden, Norway, and Denmark.....	191,699,916
Switzerland, Italy, Austria, Turkey, and Russia.....	163,350,622

The congested condition of the river.—The commerce of the river has increased so rapidly and become so immense that navigation below One hundred and forty-ninth Street Bridge has become dangerously congested and accidents involving serious loss, delay, and inconvenience are of frequent occurrence. The numerous foreign and domestic craft now using the canal are also larger in size than formerly, and they require for their accommodation a channel wider than that which now exists.

5. THE AMOUNT OF COMMERCE REASONABLY PROSPECTIVE WHICH WILL BE BENEFITED BY THE IMPROVEMENT OF THE HARLEM RIVER.

At the inception of the work Colonel Newton in speaking of the advantages of the improvement to commerce said in his report of February 18, 1875: "It is simply impossible to foresee the effects, save in a general way; but it seems to me quite as easy to err by assigning too little as too much importance to the subject." (Annual Report of Chief of Engineers, 1875, Appendix Y, p. 39.) In 1890, two years after the actual work of improvement begun, the freight carried on the Harlem amounted to 2,384,466 tons. In 1905 it was 9,998,021 tons, an increase of over 300 per cent in fifteen years. It is reasonable to assume that with the growth of the city of New York the commerce of the Harlem will continue to increase at the same rate in the future. If it does the tonnage at the end of the next fifteen years, or in 1920, will be over 40,000,000 tons, almost equal to the tonnage of the Great Lakes that passed through the famous St. Marys Canal in 1905. The enlargement of the canals of the State of New York for the passage of 1,000 ton barges, the development of the freight transfer stations of the New York Central, New York and New Haven, Pennsylvania, Baltimore and Ohio, Erie, Lehigh Valley, New Jersey Central, and Lackawanna Railroads already located on the banks of the Harlem, the improvement of Bronx Kills and the general increase in the commerce of the country are indications that the above estimate is not exaggerated.

6. THE UNITED STATES PLEDGED TO COMPLETE THE IMPROVEMENT.

We hold that the National Government is bound to complete the improvement of the Harlem River, Spuyten Duyvil Creek, and Bronx Kills without further delay, for the reason that before commencing the work it imposed upon the State and the city of New York expensive terms and conditions with which they have fully complied.

The terms imposed by the United States are contained in the following extracts from official reports:

In Colonel Newton's report to Gen. A. A. Humphreys, Chief of Engineers, dated February 18, 1875, he says:

"As it may be necessary, in order to carry out the plan of improvement, to encroach upon lands under water, or structures erected upon what was once the bed of the river, it would seem but just that the authority, whether the State of New York or the city, which has made the grant or concession tending to prevent the feasibility or impair the excellence of the improvement of the river should make reparation to the individuals concerned." (Annual Report of Chief of Engineers for 1875, Appendix Y, p. 42.)

In the same report Colonel Newton also recommended:

"If Congress shall deem it advisable to prosecute this improvement, that the Government absolutely forbid the erection of any more bridges having piers within the waterway of the improved rivers, or not constructed of height sufficient to permit navigation without the use of draws; as to existing bridges, except High Bridge, it is recommended they should be got rid of as speedily as the laws under which they have been erected will permit." (Annual Report of Chief of Engineers for 1875, Appendix Y, p. 48.)

In his official report to General Humphreys dated February 10, 1876, Colonel Newton said:

"I beg leave to reiterate the substance of what was said in the previous report of the necessity, before work is actually begun, of a clear understanding and definite agreement concerning the character of future bridges and of the modification of existing ones, the depth at which all tunnels shall be driven, and the settlement of land damages." (See Report of Chief of Engineers, 1876, Appendix D, p. 19.)

The Secretary of War adopted the recommendations of Colonel New-

ton, and decided not to proceed with the work of constructing the ship canal until the State and the city of New York erected proper laws for ceding to the United States the lands necessary for widening the streams and the protection of the improved channel.

In an official report dated January 5, 1880, addressed to Gen. H. G. Wright, Chief of Engineers, United States Army, Colonel Newton said that should the amount then appropriated and available be devoted to the commencement of the work "the very fact pledges the Government to complete it, because an incomplete improvement would be a positive injury to the whole neighborhood."

In commenting upon this letter General Wright, in his report to the Secretary of War, said: "There is much force in Colonel Newton's statement, and if his wishes can be carried out the work will be accomplished with economy and dispatch and in the best possible way for all interests concerned."

Secretary of War Ramsey, in transmitting this correspondence to the United States Senate, said:

"The Department fully coincides with the views of Colonel Newton, and respectfully requests action in accordance with his recommendations."

By chapter 907, United States laws of 1890, the sum of \$250,000 was appropriated for continuing the improvement, and "the Secretary of War is directed to cause the low bridges now crossing said Harlem River to be replaced by other bridges at the expense of the owners thereof as soon as the necessary legislation, if any such legislation be necessary, shall have enabled the change in grade to the approaches to said bridges thus required to be made, the owners of said bridges being allowed a reasonable time in which to complete the work necessary for said approaches. Said bridges shall leave a clear space between the under sides thereof at high water of spring tides of 24 feet and shall be provided with draw spans of the width and length to be determined by the Secretary of War, and shall in all respects comply with this law and conform to the requirements of the Secretary of War."

THE STATE OF NEW YORK HAS COMPLIED WITH THESE CONDITIONS.

It was my privilege to represent the upper part of the city of New York in the legislatures of 1879 and 1880 and to introduce and assist in enacting the measures suggested by Colonel Newton and required by the Congress of the United States for the protection of the improved channel of the Harlem River, Bronx Kills, and Spuyten Duyvil Creek. They constitute chapter 345 of the laws of 1879 and chapter 65 of the laws of 1880. These acts authorize and empower the city of New York to cede to the United States free of cost the lands necessary for the enlarged channel and to acquire by condemnation such private property as was necessary for the widened waterways. They granted to the United States concurrent jurisdiction over the aforesaid streams. They also provided that all bridges built across them should be not less than 24 feet above high-water mark of springtide, that the outlines and the size and height of their draws and other details should first be submitted to and approved by the United States engineers in charge of the harbor of New York and by the Secretary of War. The State has also compelled all railroads crossing the Harlem and its extensions to remove their low bridges or to build new and higher ones or tunnels, and to raise or lower their roadbeds. All of these requirements were imperative in order to comply with the plans of the War Department.

NEW YORK'S CONTRIBUTIONS TO COMMERCE.

In addition to this the State of New York has made the most magnificent contributions to the commercial interests of the nation.

Over three-quarters of a century ago the State of New York, at a cost of \$7,143,789, constructed the Erie Canal from the Niagara to the Hudson River. Its enlargement in 1836-1862 cost the State \$44,465,414. The State has annually expended large sums for its maintenance and improvement. This artificial waterway, 363 miles in length, has furnished cheap and convenient transportation for the products of the great West to the seaboard as well as for those of our own State. This grand artery of commerce is owned by the people. It is operated by the State. It can not be merged into any pool. Neither can its stock be watered.

Ten years ago the people of the State of New York voted to expend \$9,000,000 for the improvement of their canals. Up to and including the appropriations of 1895 the total cost of constructing and improving the Erie, Oswego, and Champlain canals has been about \$118,000,000.

On November 3, 1903, 673,010 electors of the State of New York, a majority of over 245,000, voted in favor of the proposition to expend \$101,000,000 for the enlargement of these canals, so as to permit the passage of 1,000-ton barges. This work will be commenced during the coming year. It is the most stupendous scheme of internal improvement that has ever been proposed in any commonwealth in this country, and it has few parallels in the history of the world.

The city of New York has complied with the contract. The city of New York has complied fully with the terms of the compact since the United States assumed absolute control of these waterways. It has ceded to the United States without cost the lands of the municipality needed for widening the Harlem. (See deed in comptroller's office, New York City, book B, p. 61.) In order to comply with the conditions imposed upon it the city of New York did loan its credit by the issue of bonds for the purchase of private property needed for the improvement. During the past twenty years the city of New York has expended over \$12,500,000 in removing existing bridges and constructing new ones across the Harlem River. The cost of these bridges has been largely increased because of the greater width of draws and the increased height of the structures and the approaches thereto to comply with the requirements of the War Department. During the coming twenty years, or even in less time, the city of New York will be required to expend at least \$12,500,000 more in order to complete additional new bridges across the Harlem, the expense of which will also be largely enhanced by the requirements of the United States authorities. The city is now spending \$2,500,000 in rebuilding a bridge across the Harlem at Madison avenue and a large sum for a bridge at Fordham Heights. It is estimated that the amount annually raised by the city of New York by taxation to pay the interest on bonds issued by it for the construction of new bridges across the Harlem River built in conformity with the plans of the War Department is nine and one-half times the average annual amount appropriated by Congress since 1874 for the improvement of the Harlem Ship Canal.

What property owners have contributed.—The owners of real estate in the upper part of the city of New York contiguous to the Harlem Ship Canal have also contributed largely to the improvement of that waterway in the amounts paid in greatly increased taxation and local assessments, made necessary for the acquisition of and damages done to private property, for the construction of new bridges, viaducts, and approaches, and the reregulating, regrading, and repaving of existing streets and avenues and the opening of new thoroughfares.

Among other things they have suffered their property to be assessed locally over \$1,000,000, namely, \$258,892 for acquiring private lands necessary for constructing the Harlem Ship Canal (see report and order confirming same, New York county clerk's office in matter petition of U. U. entered July 9, 1886) and \$750,000 for a portion of the cost of reregulating and regrading Park or Fourth avenue above One hundred and sixth street in order to enable the New York Central Railroad to cross the river at the elevation required by the War Department.

These large expenditures by the city of New York and its property owners are entitled to the most serious consideration of the Congress of the United States.

7. THE COMPLETION OF THE HARLEM SHIP CANAL IS A MATTER OF GREAT NATIONAL IMPORTANCE FOR THE FOLLOWING REASONS IN ADDITION TO THOSE HERETOFORE MENTIONED IN THIS MEMORANDUM:

1. Because it affects the commercial, agricultural, and manufacturing interests of the whole country. The Harlem is a part of that wonderful center of activity and development, the port of New York, the greatest shipping port of the world. "To this port," to quote the words of a distinguished Secretary of the Treasury, "80,000,000 of people bring \$30,000,000 of the surplus products of their farms, \$5,000,000 of the surplus of their forests, \$30,000,000 of the surplus from their mines, and more than \$200,000,000 of their manufactures. From this port the same people carry inland \$560,000,000 imports, and to the collector of this port is paid \$165,000,000, 65 per cent of the customs duties of the nation."

2. Because the commerce of the Harlem is a large and constantly increasing part of the coastwise trade of the United States, extending along the Atlantic, a trade unequaled anywhere on the waters of the globe and vastly more valuable to our people than all our foreign commerce.

3. Because upon the peaceful waters of that stream there is now carried by the swift steamer, the three-master schooner, and by the commodious lighter, canal boat, and barge the products of the forest, the field, the mine, and the factory amounting in round numbers to 10,000,000 of tons and valued at over \$270,000,000.

4. Because the value of the tonnage carried on that busy stream is to-day greater than the value of the whole export and import trade of the United States with any portion of the world except Great Britain, Germany, and Asia, as has already been shown.

5. Because that stream and its natural extensions, Bronx Kills and Spuyten Duyvil Creek, are essential parts of the canal system of the State of New York, that great continuous and free waterway extending from Duluth to the Atlantic.

6. Because nearly a million people—a population greater than that of any one of sixteen States of the Union, and larger than that of five of them combined—have located their homes and business enterprises on the banks of that stream. Situated as it is, in the center of this great population, the most rapidly growing community in the United States, it is the natural carrier for the provisions that feed this people, for the lumber, the iron, the stone, the brick, the lime, and the other materials that enter into their vast building operations, and for the fuel that heats and lights their homes and places of employment and produces the power that turns the wheels of their busy industries and propels their elevated, surface, and underground railway cars. The docks of this stream are the storage and distributing depots of the bulky merchandise that enters into the daily life and activities of this large and enterprising community.

8. FURTHER DELAY UNWISE.

Only a comparatively small expenditure is now necessary to complete the Harlem Ship Canal. More than 60 per cent of the work has been done. (See Annual Report of Chief of Engineers, 1906, Appendix E, p. 956.) The completed improvement will benefit more States and greater agricultural, commercial, and manufacturing interests than the improvement of any similar waterway in the Union.

It would be a parsimonious and shortsighted policy for the National Government to delay any longer the completion of this important commercial artery. The longer it is delayed the greater will be the inconvenience and injustice to the State and to the city of New York and to the varied interests of the whole country.

Mr. STEPHENS of Texas. How much time have I remaining?

The CHAIRMAN. Fifteen minutes.

Mr. STEPHENS of Texas. I yield back that time, as no one desires to speak on this side.

Mr. CURTIS. I yield two minutes to the gentleman from Maine [Mr. LITTLEFIELD].

Mr. LITTLEFIELD. Mr. Chairman, I simply wish to call the attention of the chairman of the committee to this. The bill of last session, which I had in my mind when I made my inquiry of him in reference to the increase of \$100,000, it seems upon examination of the Record that there was an increase in appropriation of \$100,000 in connection with the Indian police, as appears from this colloquy between myself and the chairman.

Mr. CURTIS. But not an increase in the number.

Mr. LITTLEFIELD. Not an increase in the number. [Reading:]

Mr. LITTLEFIELD. That is offset by the salary or wages of the police department.

Mr. SHERMAN. Yes; very largely; an increase of \$100,000 for Indian police.

Mr. LITTLEFIELD. Does not that increase the number?

Mr. SHERMAN. No; only the compensation.

Mr. LITTLEFIELD. What is the occasion for that?

Mr. SHERMAN. The occasion of the increased appropriation is that the Commissioner found he could not retain the services of the best men at the former compensation, which was \$15 a month for a captain and \$10 a month for a private. He recommended the increase so that he could pay \$25 a month for a captain and \$15 a month for a private.

Mr. LITTLEFIELD. And the aggregate result is \$100,000?

Mr. SHERMAN. One hundred thousand dollars; but the gentleman must remember that these officers furnish their own horses. They are largely used to restrain the traffic in liquor.

While I perhaps made an inadvertent reference to that, I wish to explain to the chairman that that was the increase I had in mind when I made the inquiry.

Mr. SHERMAN. I was out when the gentleman from Maine began reading. This is no increase in the number.

Mr. LITTLEFIELD. I so understand it.

Mr. SHERMAN. But I notice that I answered you last year that they received nothing other than their monthly stipend; I do not know how I could have made that answer. I was in error in that respect. They are furnished their uniforms, and they are also permitted to get rations at the agencies at cost price.

Mr. LITTLEFIELD. The question and answer that practically covers the whole thing is this:

Mr. LITTLEFIELD. Do they get anything in the way of compensation by the way of being found?

Mr. SHERMAN. No; they are not found.

Mr. LITTLEFIELD. They get their food and supplies at cost price?

Mr. SHERMAN. Yes.

Mr. LITTLEFIELD. So that does cover the food and supplies proposition, and as I understand the gentleman now, they are furnished their uniforms in addition to their compensation.

Mr. SHERMAN. Yes; they are in addition. We did not last year increase the number of officers at all, but we increased the compensation because the Commissioner had found that he could not obtain the best men in the tribe at the old compensation of fifteen and ten dollars.

Mr. LITTLEFIELD. I have been advised since I made the inquiry of the chairman in regard to the increase of officers that there is only one increase of officers provided in the bill, a superintendent.

Mr. SHERMAN. A superintendent of irrigation.

Mr. LITTLEFIELD. Yes.

Mr. SHERMAN. Yes; that is all.

Mr. LITTLEFIELD. What is the salary of that officer?

Mr. SHERMAN. I think it is \$3,000.

I ask for the reading of the bill, Mr. Chairman, if the minority have consumed their time.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and in full compensation for all offices the salaries for which are specially provided for herein for the service of the fiscal year ending June 30, 1908, namely:

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word. The gentleman from New York [Mr. GOULDEN] has, as usual, clearly elucidated the importance of an increased appropriation for rivers and harbors in his speech a few moments ago, and I am going to take a half minute of five minutes of time and ask him a question or two and let him take the balance of my time in answering them. How are we going to get the money now to do all this increased river and harbor work? The gentleman has studied the matter, and I trust he will answer and give to the House and to the country the benefit of his investigations.

Mr. GOULDEN. There are two ways of doing it, and one is by economizing in appropriations and other expenditures of the Government in which I think we are rather lavish.

Mr. GAINES of Tennessee. In what?

Mr. GOULDEN. In yearly amounts for the Army and the Navy, as an illustration; and secondly, by making posterity, which will be largely benefited, assist in paying for a part of these improvements by the issuance of bonds.

Mr. GAINES of Tennessee. Does the gentleman ask a reenactment of the Spanish war tax, or a part of it, to raise a part, at least, of the desired revenue?

Mr. GOULDEN. No.

Mr. GAINES of Tennessee. Does not the gentleman think it would be a good idea to do that?

Mr. GOULDEN. I think it would be an excellent idea to do that rather than to issue bonds.

Mr. GAINES of Tennessee. Does the gentleman remember all of the articles that were taxed in that law?

Mr. GOULDEN. Yes; but allow me to make another suggestion. I think we should favor the enactment of an inheritance tax, as was ably set forth the other day by my colleague from New York [Mr. PERKINS].

Mr. GAINES of Tennessee. We did that in the Spanish war tax and also taxed telegrams and bills of lading, checks, etc., and tried to tax express receipts, but the express companies wormed out of that, and did not pay anything to carry on that war; and in addition we could tax stock-exchange trades that are so often and rapidly made, and a thousand and one things that would not depress the people, and yet the people would get the full benefit of the revenues coming from such a law. In addition to that my idea was—

Mr. GOULDEN. I would say, in reply to the distinguished gentleman from Tennessee [Mr. GAINES], that in the State of

New York we tax stock transfers and find it quite a beneficial thing in the way of raising revenues, and I should not oppose it.

Mr. GAINES of Tennessee. Has the gentleman ever found anybody who said that he was oppressed by what is known as the "Spanish war tax?"

Mr. GOULDEN. No; I think not. My only regret is that the express companies escaped that, and they certainly should not be allowed to do so in the future should such a tax be enacted.

Mr. GAINES of Tennessee. Now, if we would reenact at least parts of that tax law and call it a "river and harbor tax" in *haec verba*, and take the money therefrom and add it to what we usually have for rivers and harbors and what we may economize on and get along the line you have suggested or without that, it does seem to me that in a short while we would accumulate regularly, yearly, an immense fund of money here that could be spent on our rivers and harbors, and when the people saw it going into the rivers and harbors, as they saw fit, as with the rural routes of the country, I think they would be satisfied and quickly and greatly benefited.

Mr. GOULDEN. I agree with my friend from Tennessee, and would say, as an illustration, that the river, the Bronx, which I have been talking about, had a commerce in 1903 valued at \$270,000,000, and it was more than thirty-two years since the Government first began the improvement. It was no fault of the River and Harbor Committee of Congress, but that lies with the Congress itself in not appropriating a sufficient sum of money to complete this and other projects that are now under way, and this is one of the most important.

Mr. GAINES of Tennessee. We would save a great deal of money, in the judgment of our engineers, and our own common sense teaches us that if we appropriate enough money to build a lock or dam, if we would continue their building right along without stopping, we would save money, because there is a great deal of money lost by stopping, reemploying labor, and so forth. I know what has occurred down in my State. They have been delaying the locks and dams on the Cumberland River, and I was told by my good friend Mr. Bryan, of Nashville, who is chairman of Cumberland River Association, that the alluvial soil has accumulated by the acre around the locks and dams and a very wise farmer had put a fence around it and is raising crops on it.

Mr. GOULDEN. I heard the statement the farmer was cultivating the soil over and around the dam, and that is costing the Government many thousands of dollars. I agree with the gentleman from Tennessee [Mr. GAINES] that something ought to be done and at once, and in my judgment it's up to this body and the Senate to do it. [Applause.]

The Clerk read as follows:

SECRETARY.

That hereafter no purchase of supplies for which appropriations are made in any Indian appropriation act, exceeding in the aggregate \$500 in value at any one time, shall be made without first giving at least three weeks' public notice by advertisement, except in case of exigency, when, in the discretion of the Secretary of the Interior, who shall make official record of the facts constituting the exigency and shall report the same to Congress at its next session, he may direct that purchases may be made in open market in amount not exceeding \$3,000 at any one purchase: *Provided*, That supplies may be purchased, contracts let, and labor employed for the construction of artesian wells, ditches, and other works for irrigation, in the discretion of the Secretary of the Interior, without advertising as hereinbefore provided: *Provided further*, That as far as practicable Indian labor shall be employed and purchase in the open market made from Indians, under the direction of the Secretary of the Interior.

Mr. MANN. I reserve the point of order upon that paragraph, and would like to inquire of the gentleman in charge of the bill what is the object of carrying this out in the bill?

Mr. SHERMAN. It is made continuous in this bill. If the gentleman had been present when I explained the bill he would have understood what its object was. Year after year this provision and certain others have been carried in the bill relating simply to the current year, and it seemed to us that it lumbered the bill with a lot of stuff after Congress had a dozen or twenty or thirty times decided upon the proposition and set out that provision in the bill. Now, this year by putting in the word "hereafter," if it becomes law, it will not be necessary after this to carry it in the bill.

Mr. MANN. I did not hear the explanation of the gentleman, but it seems a rather serious proposition to give the Secretary of the Interior, as permanent law, power to make these purchases without advertising.

Mr. SHERMAN. Well, that is a limited purpose; limited in amount, you will discover, when contingencies arise where there is not time to advertise; and then he has to make a report to Congress. We have carried that same provision in every appropriation bill for the dozen years that I have had anything to do with it.

Mr. MANN. I understand. I have been inclined to make the

point of order to it in previous years and have called attention to it before. This would put it practically beyond the power of Congress to prevent the Secretary of the Interior from purchasing goods without advertising as he may please.

Mr. SHERMAN. No; because when Congress desires to put that limitation upon an appropriation bill they can do so. But rather than have it in the bill every year, making the bill more lengthy than necessary, we thought it was best to make it continuous. Now, the moment Congress desires that limitation inserted it can do so.

Mr. MANN. What limitation?

Mr. SHERMAN. That this limitation should be taken away, they can reinsert the necessary provision.

Mr. MANN. No; it would be subject to a point of order.

Mr. SHERMAN. Not if it is a limitation.

Mr. MANN. I do not know any form in which you could frame a limitation covering the subject.

Mr. SHERMAN. I think the gentleman would be able to draw a limitation covering any appropriation in the bill for any year. If he can not, I will draw it.

Mr. MANN. I am not only certain that the gentleman or myself can not do it, but I do not think there is a single gentleman who can do it and it not be subject to the point of order.

Mr. SHERMAN. I have been able to do it whenever I thought it was necessary.

Mr. MANN. For the present I will insist upon the point of order.

Mr. SHERMAN. The gentleman does insist upon the point of order?

Mr. MANN. I have no objection to it going in for the year.

Mr. SHERMAN. Well, if the gentleman will move an amendment striking out "hereafter," in line 17, page 2, he accomplishes his purpose.

Mr. MANN. I insist upon the point of order, and the gentleman can offer an amendment and leave out the word "hereafter."

Mr. SHERMAN. Very well; we will have it that way.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SHERMAN. Then, Mr. Chairman, I move to reinsert the provision striking out the word "hereafter," in line 17, and in line 18 strike out the words "in any Indian appropriation act" and insert in lieu thereof, after the word "made," "hereafter."

The Clerk read as follows:

Reinsert the provision after striking out, in line 17, page 2, the word "hereafter," and in line 18 striking out the words "in any Indian appropriation act" and insert in lieu thereof the word "hereafter."

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

That hereafter whenever after advertising for bids for supplies in accordance with the immediately foregoing paragraphs, those received for any article contain conditions detrimental to the interests of the Government, they may be rejected, and the articles specified in such bids purchased in open market, at prices not to exceed those of the lowest bidder, and not to exceed the market price of the same, until such time as satisfactory bids can be obtained, for which immediate advertisement shall be made: *Provided*, That so much of the appropriations of any annual Indian appropriation act as may be required to pay for goods and supplies, for expenses incident to their purchase, and for transportation of the same, for the fiscal year for which such appropriations are made, shall be immediately available, upon the approval of such act, but no such goods or supplies shall be distributed or delivered to any of said Indians prior to the beginning of such fiscal year.

Mr. MANN. I raise, or reserve, the point of order on the paragraph read. The latter part of it I have no objection to, but it seems to me that instead of putting into permanent law some of these provisions of the bill it is desirable that the policy of the Government that goods shall be obtained after advertisement should be adhered to in the Indian Service more fully than it has been in the past.

Mr. SHERMAN. I understand the gentleman to raise the point of order against the paragraph beginning with line 20 on page 4.

Mr. MANN. Yes.

Mr. SHERMAN. Of course it is legislation and was so intended. If the gentleman insists on his point of order, I assume that it will be sustained, and then I shall be obliged to offer, as I did in the other case, the same provision, to apply simply to this year's bill.

Mr. MANN. So far as the latter part of the paragraph is concerned, commencing with the word "*Provided*," I have no desire to raise the point of order on that, if the gentleman cares to except it.

Mr. SHERMAN. Very well, then, make your point of order against the first part of it, if that is your determination.

Mr. MANN. I make the point of order, Mr. Chairman, upon the paragraph commencing with line 20 on page 4 and ending with the word "made" in line 3, page 5.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SHERMAN. Then, Mr. Chairman, I will offer an amendment to cover that. In this instance, I think, the question is covered by simply striking out the word "hereafter" in line 20. So I move to insert in the bill the provision now covered in lines 20 to 25 on page 4 and lines 1 to 3 on page 5, omitting the word "hereafter" in line 20 on page 4. That makes it apply simply to this year's bill.

Mr. LACEY. Then, Mr. Chairman, I move to insert the word "hereafter" after the word "that," in line 3, page 5. I understand the gentleman from Illinois to make no objection to that.

Mr. SHERMAN. I did not catch what the gentleman from Iowa said.

Mr. LACEY. I move to insert the word "hereafter" after the word "that," in line 3, page 5, so as to have the remainder of the paragraph become a part of the permanent law; so that it will not have to be reenacted every year.

Mr. SHERMAN. Let us get that as a separate amendment.

Mr. LACEY. I understood the gentleman from Illinois to say that he would not object to that.

Mr. MANN. I am inclined to raise the point of order against both of them, as far as that is concerned.

Mr. SHERMAN. My amendment is to reinsert what was stricken out on the point of order, with the exception of the word "hereafter," line 20, page 4.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

Mr. MANN. Mr. Chairman, I raise the point of order upon the amendment. It has not yet been reported.

The CHAIRMAN. The Clerk will report the amendment to which the gentleman makes the point of order.

The Clerk read as follows:

Insert in lieu of the matter stricken out the following: "That whenever, after advertising for bids for supplies in accordance with the immediately foregoing paragraphs, those received for any article contain conditions detrimental to the interests of the Government they may be rejected, and the articles specified in such bids purchased in open market, at prices not to exceed those of the lowest bidder, and not to exceed the market price of the same, until such time as satisfactory bids can be obtained, for which immediate advertisement shall be made."

Mr. MANN. Mr. Chairman, I make the point of order that that is out of order, as it changes existing law. If the gentleman desires to state his reasons, I will reserve the point. The fact that this provision is in the current law of course makes no difference. If there is no statute authorizing it, it can not go in.

Mr. SHERMAN. It is a provision which simply relates to the appropriation made for the current year in this bill. Surely the gentleman does not maintain that we can not do that.

Mr. MANN. If the provision would change existing law, then it is subject to the point of order. It is not a limitation, and there can not be any pretense that it is. It is an enlargement of the power of the Secretary and not a limitation upon his power.

Mr. SHERMAN (reading)—

Whenever, after advertising for bids for supplies in accordance with the immediately foregoing paragraphs—

Mr. MANN. It practically amounts to authorizing something which the law does not now permit. If there is any special reason for that, the gentleman may state it. Unless there is some good reason for it, it seems to me to be better when we require Government officials to advertise for bids not to make an exception in favor of certain Government officials as to certain bids.

Mr. SHERMAN. The reason is perfectly plain. It is stated in the terms of the paragraph itself, it seems to me. Whenever, after advertising for bids, those received for any article contain conditions detrimental to the interests of the Government they may be rejected, and before readvertisement for resubmission of the bids such purchases may be made temporarily to supply the temporary necessities of the case.

For instance, the Department advertises for bids supplying vaccine. That is one article appropriated for in this bill. The bid is unsatisfactory and it is rejected. Now, an epidemic of smallpox is on, and is the Secretary or Commissioner to be precluded from buying enough vaccine to be used during the time that he is advertising for new bids?

Mr. MANN. That is covered by the other paragraph we adopted.

Mr. SHERMAN. I do not think so.

Mr. MANN. That provides for the exigency.

Mr. SHERMAN. Where?

Mr. MANN. On page 2, which was adopted. There was an express provision that in case of an exigency he may buy with-

out bids and report to Congress, but here is a provision that he may buy without bids and make no report to Congress.

Mr. BURKE of South Dakota. I desire to ask the gentleman if his attention has been called to the current law as it was enacted in the last appropriation bill?

Mr. MANN. Oh, yes.

Mr. BURKE of South Dakota. Then this is only reenacting a law that has been enacted, is not that true?

Mr. MANN. It is to practically extend for another year what is now the law. That is true; it is not to reenact a law, because if it was a law for the ensuing year it would not need to be in here. What is the purpose of it? I have heard a great many complaints as to the way supplies were purchased by the Indian Department. I do not know whether they were occasioned by this provision or not.

Mr. BURKE of South Dakota. That is not the question; the question is on the point of order.

Mr. MANN. I may say to my distinguished friend from South Dakota that I am willing to submit the point of order without saying anything on my side, because it is so perfectly plain that it ought not to be subject to a point of order.

Mr. SHERMAN. With the preceding provision modified, I must concede that the point of order is well taken against the wording as I presented it. I will withdraw the amendment if there is no objection.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. SHERMAN. Now, Mr. Chairman, I offer this: "That hereafter, whenever after advertising for bids or supplies in accordance with this act those received for any article contain conditions detrimental to the interests of the Government, they may be rejected," etc. I am sure the Chair will hold that that is in order.

Mr. MANN. Has the amendment been reported, or will it be? I will make the point of order on the amendment at the proper time.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Instead of the matter stricken out on the point of order insert the following: "That hereafter, whenever after advertising for bids or supplies in accordance with this act those received for any article contain conditions detrimental to the interests of the Government," etc.

Mr. MANN. That is not a limitation upon the appropriation at all. That is an extension of the power of an officer, a power which he does not now possess; it is not a limitation. Putting something in the bill because it relates to a current provision is equivalent to saying that you can enact any new law, extend the power of an official; that could not be done in an appropriation bill.

As to the first part of the paragraph, I assume that it might not be subject to a point of order because I do not think it changes existing law. They now have the power to reject bids that they do not like, and have the power to reserve the right to reject bids. It is not necessary to say in the bill that they should have that power to reject bids. It is not necessary to say or to give them the power that where conditions are detrimental to the interests of the Government they may reject the bids. They have that right under the law. The other part of the paragraph, providing that if the bids are not what the Secretary wants he can buy regardless of bids, changes the existing law, and ought not to be inserted unless a good reason is given for it. So far no reason has been given.

Mr. SHERMAN. If the gentleman will excuse me, I stated a reason, but the gentleman from Illinois may not consider it a good reason. I do not care to waste the time, Mr. Chairman, in further discussion on the point of order. I have stated my contention, and I am ready to take the ruling of the Chair on it, whether it be to leave the provision in or strike it out.

Mr. MANN. I would not say, Mr. Chairman, that any reason the gentleman from New York gave was not a good reason. Whatever else I might say, I would never say that anything which the gentleman from New York said was not good, for he never does anything but the best.

The CHAIRMAN. The Chair is ready to rule. So far as this provision in this amendment is concerned, it gives positive authority to purchase goods in the open market, and it is not to that extent in the nature of a limitation. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For support of Indian day and industrial schools, and for other educational purposes not hereinafter provided for, \$1,300,000.

Mr. STEPHENS of Texas. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Add in line 17, page 6, the following:

"Provided, That nothing contained in this paragraph of the bill shall authorize the money herein appropriated to be expended for the support or education of any children of Indian blood whose parents have become citizens of the United States under existing laws and are no longer the wards of the Government; and the education and maintenance of such children are hereby relegated to the States or Territories where such Indian citizens reside."

Mr. SHERMAN. Mr. Chairman, I make the point of order against that amendment.

Mr. STEPHENS of Texas. Mr. Chairman, I do not think it is subject to the point of order, for the reason that it states simply how this money shall be expended.

The CHAIRMAN. The Chair will sustain the point of order. The Clerk will read.

The Clerk read as follows:

For collection and transportation of pupils to and from Indian schools, and also for the transportation of Indian pupils from all the Indian schools and placing of them, with the consent of their parents, under the care and control of such suitable white families as may in all respects be qualified to give such pupils moral, industrial, and educational training, under arrangements in which their proper care, support, and education shall be in exchange for their labor, \$70,000; *Provided*, That not exceeding \$5,000 of this amount may be used, under direction of the Commissioner of Indian Affairs, in the transportation and placing of Indian pupils in positions where remunerative employment can be found for them in industrial pursuits. The provisions of this section shall apply to native pupils brought from Alaska.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill whether it is possible for him at this time to inform us how much of this \$5,000 has been used and how much of it was for transporting children from Alaska into this country to obtain remunerative employment in industrial pursuits?

Mr. SHERMAN. Mr. Chairman, I can not state. I have no information before me from which I can give the gentleman the information that he desires.

The Clerk read as follows:

That hereafter all schools for whose support specific appropriations are made in any annual Indian appropriation act shall be classified according to the number of pupils appropriated for therein, as follows: Class 1, where such number is less than 100; class 2, where such number is not less than 100, but not more than 200; class 3, where such number is more than 200, but not more than 400; class 4, where such number is more than 400. The pay of the superintendents of said schools shall be fixed by the Commissioner of Indian Affairs on a scale corresponding to the classification hereinbefore directed, as follows: Superintendents of schools of class 1, not to exceed \$1,200 per annum; superintendents of schools of class 2, not to exceed \$1,600 per annum; superintendents of schools of class 3, not to exceed \$2,000 per annum; superintendents of schools of class 4, not to exceed \$2,500 per annum; *Provided*, That the foregoing provision as to pay of superintendents shall not apply to the school at Carlisle, Pa., as long as said school remains under the superintendency of an active army officer; *And provided further*, That the pay of any superintendent who performs agency duties in addition to those of his superintendency may be increased by the Commissioner of Indian Affairs, in his discretion, to an extent not exceeding \$300 per annum.

Mr. MANN. Mr. Chairman, I reserve the point of order on that paragraph. I would like to ask the gentleman in charge of the bill what would happen in case any pupils at a school should vary?

Mr. SHERMAN. Mr. Chairman, we appropriate for so many pupils in a school. Now, it can not vary above that amount. If we appropriate for 100 pupils the superintendent goes into a class of 100 or under. If we appropriate for 200, of course he goes into the second class. We might appropriate for 210, though we seldom appropriate in that way, for it usually goes by 25 or 50, and the average attendance where 210 is appropriated for might fall below 200, and in that case the superintendent might be in class 2 rather than in class 3.

Mr. MANN. Suppose you appropriate for 150 and there were only 75 there. What would be the classification?

Mr. SHERMAN. Class 1.

Mr. MANN. When is that to be ascertained?

Mr. SHERMAN. The Commissioner ascertains that in his own way.

Mr. MANN. At the beginning of the year or at the end of the year?

Mr. SHERMAN. I do not know how he could determine at the beginning of the year what the average attendance would be during the year.

Mr. MANN. I do not see how he could myself. Therefore I do not see how he could determine what would be the pay the superintendent would get until the end of the year.

Mr. SHERMAN. I assume he would determine the salary of the superintendent on the basis of our appropriation here. In other words, if we appropriated for 210 students or 250, he would hold that the superintendent was in class 3. In every case where we specifically appropriate we appropriate for so many children, and this provision applies only to the specially

appropriated for schools, the twenty-eight nonreservation schools; and had the gentleman been here when the bill was presented in general debate he would have heard what I said in reference to that.

Mr. MANN. I heard what the gentleman said, but I still was not sufficiently enlightened, being a little bit dull.

Mr. SHERMAN. Oh, I do not think the gentleman ought to say that. Nobody in the House will concede that he is correct about that. I will have to take issue with him.

Mr. MANN. I heard both the gentlemen discuss the matter.

Mr. SHERMAN. The salary I assume would be fixed by the Commissioner of Indian Affairs at the beginning of the school year, based upon the number of pupils appropriated for at each school.

Mr. MANN. If the gentleman will pardon me—I do not intend, I will say to the gentleman, now to insist on the point of order—it seems to me that that provision is going to get the whole system into great confusion if it ever goes into law in its present shape.

Mr. SHERMAN. Of course it is legislation. There is no dispute about that, but it is anything but getting the Department into confusion, I think.

Mr. MANN. There is no way of telling under this what the salary of a superintendent at a particular place is going to be.

Mr. SHERMAN. Why, it is certainly the easiest thing in the world. Turn to page 43 of the bill. We say, "For support and education of 700 Indian pupils." Now, that is a school of class 4. You can take page 41, "For support and education of 325 Indian pupils at the Indian school, Fort Totten." Of course that is of class 3. Take the page before that, page 40, "For support and education of 160 pupils at the Indian school at Cherokee, N. C." Of course that is a school of class 2, and so in reference to every one of these schools we appropriate specifically for so many pupils. Do I make myself clear to the gentleman?

Mr. MANN. Perfectly. Now, it will be upon that basis that the salary would be fixed?

Mr. SHERMAN. Undoubtedly.

Mr. MANN. Is there any limitation upon the number of pupils who may attend those schools?

Mr. SHERMAN. No. There is a limitation upon what shall be expended for the support of the children—that they can not expend more than \$167 on each pupil. You take a large school like Haskell, for instance, or Carlisle, or Phoenix, it is possible for the superintendent, and he does in fact, maintain more pupils than appropriated for, because it stands to reason that with a large attendance like that the expense per capita would be less than with a small number, like a hundred or a hundred and fifty, for instance.

Mr. MANN. I withdraw the point of order.

The Clerk read as follows:

That any noncompetent Indian to whom a patent containing restrictions against alienation has been issued for an allotment of land in severalty, under any law or treaty, may sell or convey all or any part of such allotment, on such terms and conditions and under such rules and regulations as the Secretary of the Interior may prescribe, and the proceeds derived therefrom shall be used for the benefit of the allottee so disposing of his land, under the supervision of the Commissioner of Indian Affairs; and any conveyance made hereunder and approved by the Secretary of the Interior shall convey full title, the same as if fee-simple patent had been issued to the allottee.

Mr. JONES of Washington. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee if the words "noncompetent Indian," found in line 23, on page 9, apply to minors; do I understand they would?

Mr. SHERMAN. I can not hear what the gentleman says.

Mr. JONES of Washington. I say the words "noncompetent Indian," on page 9, line 23, would include minor children, would it not, to whom allotments have been made?

Mr. SHERMAN. Certainly; if they were noncompetent.

Mr. JONES of Washington. They would be considered noncompetent within the law, would they not?

Mr. SHERMAN. It applies to noncompetent Indians whether minors or not.

Mr. JONES of Washington. I want to ask the chairman whether or not there is any doubt.

Mr. SHERMAN. No; there can not be any doubt.

Mr. JONES of Washington. That is what I thought. Now, I would like to ask the chairman of the committee if he would object to an amendment something like this in effect. There are a great many minor Indians who are heirs of deceased allottees. There ought to be some way by which their interests in the estate of the decedent could be disposed of without requiring probate court proceedings. I would like to see this amended by inserting on page 10—

Mr. SHERMAN. A bill was passed during last session, which was known as the "Burke bill," which accomplished just what

the gentleman desires to have covered. The gentleman from South Dakota, I think, can tell him all about it.

Mr. BURKE of South Dakota. Except, Mr. Chairman, it was thought when that law was enacted we could not legislate to effect anything that was in the past, that there was danger of meeting up with vested rights, and we could not legislate as to Indian allotment where the allotment had been approved, and any legislation that would tend to change that law might interfere with vested rights.

Mr. JONES of Washington. I do not understand the gentleman's bill covered minors. I have had this matter up lately in connection with the Yakima Reservation.

Mr. BURKE of South Dakota. My bill affects children as well as adult Indians that have taken allotment since the passage of that act, and provides that the lands of the deceased Indians may be conveyed to the heirs by name, or the Secretary of the Interior may cause the land to be sold and the Secretary of the Interior shall determine absolutely who the heirs are, and his action shall be in all respects final.

Mr. JONES of Washington. Does it affect the interests of minors also?

Mr. SHERMAN. Let me read the provisions of the Burke bill (reading):

That hereafter when an allotment of land is made to any Indian, and any such Indian dies before the expiration of the trust period, said allotment shall be canceled and the land shall revert to the United States, and the Secretary of the Interior shall ascertain the legal heirs of such Indian, and shall cause to be issued to said heirs and in their names a patent in fee simple for said land, or he may cause the land to be sold as provided by law and issue a patent therefor to the purchaser or purchasers, and pay the net proceeds to the heirs, or their legal representatives, of such deceased Indian.

Mr. JONES of Washington. That does not apply to allotments made prior to that act.

Mr. BURKE of South Dakota. No, sir; it does not.

Mr. SHERMAN. Of course not.

Mr. JONES of Washington. It ought to apply to all allotments which have already been made. On the Yakima Indian Reservation we have many minor heirs of deceased Indians. It seems to me there ought to be some provision by which their interests can be disposed of without their having to go into court.

Mr. CURTIS. There is a provision which authorizes the sale of inherited Indian lands.

Mr. JONES of Washington. It does not touch the interests of minors.

Mr. CURTIS. Yes; it does. The law provides that where there are adult heirs they may sell, and if there are minor heirs their interest may be sold through a guardian, but the conveyance is subject to the approval of the Secretary of the Interior.

Mr. JONES of Washington. What has that got to do with it? Why should it have anything to do with it?

Mr. CURTIS. That provision was put in the bill so that the interest of the minors might be fully protected, and by the proper court in the county in which he lives.

The CHAIRMAN. The time of the gentleman from Washington [Mr. JONES] has expired.

Mr. JONES of Washington. Mr. Chairman, I move to strike out the last two words. Now, I think those provisions that the gentleman has just referred to are included in the regulations of the Department. My recollection of it is that it provides for the disposition of the lands of deceased Indians, and it is a simple provision that these lands may be sold according to such rules and regulations that the Secretary of the Interior may prescribe. Now, if there is a provision that these lands can be sold without the interposition of the probate court, I am certainly satisfied, but I do not want any question about it. I think it ought to be provided in that way, and I was simply going to suggest an amendment here so as to cover the case of the minor heir of any deceased Indian's allotment. I have introduced a bill covering this subject and took the matter up with the Department. They do not understand that the law covers these matters and they are very anxious to have legislation of that character.

Mr. STEPHENS of Texas. Will the gentleman permit me to ask him a question?

Mr. JONES of Washington. Yes; certainly.

Mr. STEPHENS of Texas. I would ask if the gentleman does not understand lines 23 and 24 to mean that this only applies to patent cases containing restrictions?

Mr. JONES of Washington. Certainly.

Mr. STEPHENS of Texas. Patents already issued?

Mr. JONES of Washington. Certainly.

Mr. STEPHENS of Texas. And this provides two ways by which the Indians can alienate their land?

Mr. JONES of Washington. It provides a means by which a minor who has an allotment made to him can alienate his land.

Mr. STEPHENS of Texas. Would not this turn loose some of these Indian lands?

Mr. JONES of Washington. I am in favor of this. But I wanted to see if we could not broaden this a little and provide for the minor of a deceased Indian to sell his interest.

Mr. STEPHENS of Texas. I will suggest to the gentleman that we get what we can.

Mr. JONES of Washington. I suggest that we get this. I would like to ask, Mr. Chairman, that this paragraph be passed with the privilege of returning to it later on, if desired.

The CHAIRMAN. The gentleman from Washington [Mr. JONES] asks unanimous consent to pass this paragraph without prejudice. Is there objection? There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. STERLING having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendments joint resolution and concurrent resolution of the following titles:

H. J. Res. 203. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1906, on the 20th day of said month.

House concurrent resolution 45:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Thursday, December 20, they stand adjourned until 12 o'clock meridian, January 3, 1907.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

MISCELLANEOUS.

Telegraphing, telephoning, and purchase of Indian supplies: To pay the expense of purchasing goods and supplies for the Indian Service, including inspection and pay of necessary employees; advertising, at rates not exceeding regular commercial rates, and all other expenses connected therewith, and for telegraphing and telephoning, and for transportation of Indian goods and supplies, including pay and expenses of transportation agents and rent of warehouses, and warehouses for the receipt, storage, and shipping of goods for the Indian Service shall be maintained at the following places: New York, Chicago, Omaha, St. Louis, and San Francisco, \$315,000.

Mr. KENNEDY of Nebraska. I move to strike out the last word. I would like to ask the chairman of the committee a question or two with reference to this appropriation. I notice, Mr. Chairman, that the appropriation for the five cities of New York, Chicago, San Francisco, St. Louis, and Omaha is \$315,000. I wish to inquire on what basis that appropriation rests, so far as the city of Omaha is concerned?

Mr. SHERMAN. Mr. Chairman, as the bill passed the House last year this item was for telegraphing, telephoning, etc., \$260,000. The city of Omaha was specifically appropriated for, I think, on the motion of the gentleman from Nebraska, at \$10,000, and \$10,000 in another place was inserted for the support of the San Francisco warehouse, and \$10,000 for the St. Louis warehouse. In the Senate all of these provisions were stricken out, and this so-called blanket provision, covering all the warehouses, was inserted, and the \$30,000 which had been appropriated here for the three warehouses separately were added to the \$260,000, as it passed the House, making it in all \$290,000. Now, the appropriation this year is for \$315,000, with the expectation that it will more than support these three warehouses, but with the expectation also that the transportation of supplies will cost more this year than last year.

Mr. KENNEDY of Nebraska. Then the basis, as applicable to Omaha, is the same as the appropriation of last year?

Mr. SHERMAN. Quite so, and possibly more so, because there was a period during the fiscal year ending July last when, not in Omaha, but in another warehouse, the work had to be suspended because the specific appropriation allowed to that warehouse was exhausted. Now, under this blanket provision the work in no warehouse need be suspended, because there is ample provision to take care of them all; and if it took a little more to sustain the Omaha warehouse than it did at St. Louis, it is the purpose of this provision to provide the funds to carry it on.

Mr. KENNEDY of Nebraska. But the basis on which your bill rests is the same?

Mr. SHERMAN. The basis upon which this appropriation is made is \$10,000 for Omaha, the same as specifically provided for in the bill last year.

Mr. KENNEDY of Nebraska. Mr. Chairman, that is satisfactory to me. Because our business is constantly increasing, I was anxious that the amount should not be reduced as to Omaha. I withdraw the pro forma amendment.

Mr. MANN. I renew it. The gentleman in charge of the bill states that the amount was sufficient. Now, as a matter of fact, at one time during the last fiscal year the Indian warehouse at Chicago was almost closed up.

Mr. SHERMAN. Just as I stated. Why?

Mr. MANN. It had not a sufficient amount.

Mr. SHERMAN. That is true. Now, we have increased the amount to \$315,000.

Mr. MANN. I understood the gentleman to say that the increase was intended to cover the cost of transportation.

Mr. SHERMAN. Largely so.

Mr. MANN. I wish to inquire if it is not necessary to appropriate a larger sum of money for maintenance?

Mr. SHERMAN. So far as Chicago is concerned, that is correct. Chicago is a very important point; second to none in importance. As I say, it was unfortunate that this appropriation was so nearly exhausted that for a time—only a matter of six or seven weeks—the work had to be very much curtailed. Under this appropriation that condition can not occur again.

The Clerk read as follows:

CONTINGENCIES.

For contingencies of the Indian Service, including traveling and incidental expenses of Indian agents and of their offices, and of the Commissioner of Indian Affairs; also traveling and incidental expenses of special agents, at \$3 per day when actually employed on duty in the field, exclusive of transportation and sleeping-car fare, in lieu of all other expenses now authorized by law, and expenses of going to and going from the seat of government, and while remaining there under orders and direction of the Commissioner of Indian Affairs, for a period not to exceed twenty days; for pay of employees not otherwise provided for, and for pay of special agents, at \$2,000 per annum each, \$75,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I do not know whether the gentleman in charge of the bill has the information or not, but I wish to ask him a question. All through this bill, and all through all appropriation bills, we find provisions like the following:

Including traveling and incidental expenses of Indian agents and of their offices, and of the Commissioner of Indian Affairs; also traveling and incidental expenses of special agents, at \$3 per day, when actually employed on duty in the field.

The truth is that this has grown to be a great abuse in the Government. There are a great many officials in the Government, employed at salaries fixed by Congress (in this case at \$2,000 per annum), who are permanently on duty at places away from home, and who receive an extra compensation of three times \$365, making a very large increase in their salaries; and it has come to the point where a good many of the employees in Washington, as well as elsewhere, seek and urge that they be sent to some other place, as on duty there, in order to get the additional compensation of \$90 per month; and there are some employees of the Government who receive more in the way of additional allowances away from home than their original compensation amounts to. And the cost of living in many of these cases is no greater than it would be if they were living where they originally were, because they are transferred not for a day, but for months, for seasons, and sometimes for years. I do not know as to these special agents, and I presume there is no way of ascertaining the exact amount that any of them are paid in the way of incidental expenses, which in this case very likely is the correct and proper thing. But if the gentleman from New York happens to have information on the subject, I am sure that it would be of value to the committee.

Mr. SHERMAN. Mr. Chairman, I can not give the exact statement. That is a detail that I did not ask for. I could get it for the gentleman; but I can tell him this, which I suppose will satisfy him, that so far as these five officers are concerned, I think they hardly come within the general class which he criticises, and justly so, I believe. These five agents are seldom in any one place for any great length of time. They are sent hither and thither, and here and there and yonder, from one agency to another, and from one State to another, and I think when they get through paying their expenses they are not able to save any very considerable amount out of the \$3 per day that they are allowed for these traveling expenses.

I think I have in mind the class of employees to whom the gentleman particularly refers when he says it is substantially an addition to their salaries. For instance, a pension examiner in the field, who may live in Chicago, may be assigned to duty at Milwaukee, and while at Milwaukee he receives his \$3 per day for subsistence, and it is possible for him to spend every Sunday, if he so desires, with his family in Chicago. It is possible for him, as he undoubtedly does, to obtain some comfortable home in a boarding house or with some private family, where his total expense would not, perhaps, exceed \$8 or \$10 a week; so that it is practically, in a case of that kind, an addition to the salary. But with these special agents in the Indian Service, they do not have any such co-called "soft snap" as that. They are sent to all sorts of outlandish sections of the country, if I may use the word "outlandish," where it is pretty hard for them to get comfortable accommodations at any price, and by the time the year ends I think it will be found that they

have saved no considerable amount out of their per diem allowance, but it will be found that they have drawn that per diem the major part of the year. They are out nearly all the time. Is that what the gentleman desired to know, whether they were out most of the time?

Mr. MANN. Yes.

Mr. SHERMAN. These five agents are out most of the time. From this contingent fund are also paid the traveling expenses of the Commissioner, and they are not inconsiderable, because the Commissioner attends the opening of business and the letting of contracts in Chicago, St. Louis, and San Francisco, and the present Commissioner, particularly, has been visiting a large number of reservations and schools. He was in the field, I think, for perhaps four months last year, and undoubtedly all that travel is expensive. It is not paying simply 3½ cents per mile on the railroad, but it is hiring teams to take him perhaps 30, 60, or 70 miles through a barren country, to reach the headquarters of an agency. So the expenses are large.

From this fund is also taken the pay of certain employees who are not otherwise specifically provided for. For instance, if one farmer is provided for at an agency, and the temporary conditions demand the employment of a second farmer, he can be paid out of this appropriation.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words. My purpose in doing so is to answer a criticism made by the gentleman from Illinois [Mr. MANN] as to the abuse which had grown up in some Departments concerning the per diem allowance. So far as the postal service is concerned, it was called to our attention three years ago that inspectors would utilize the \$4 per diem allowance when they would be assigned to official headquarters away from their homes, where most of their time would be passed and which was virtually their permanent stopping place. So the postal committee, in a bill reported that year, put a limitation providing that the per diem should not be available unless away from their home, their domicile, or their designated headquarters. It had been shown that prior to the establishment of the per diem allowance and under the old practice the agents in the field were allowed their expenses; that in many cases it would aggregate much more than the \$4 daily allowance even if granted for three hundred and thirteen days in the year. Since the placing of the amendment on the statute books there has been no abuse in the postal service to our knowledge, and the postal agents in the field now are only entitled to that amount when away from their homes, their official headquarters, or their domiciles.

The CHAIRMAN. The pro forma amendment will be withdrawn. The Clerk will read.

The Clerk proceeded with the reading of the bill to the close of line 19, on page 15.

Mr. SHERMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. BOUTELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the Indian appropriation bill and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. DIXON of Montana, by unanimous consent, was given leave of absence indefinitely, on account of important business.

PROMOTIONS IN THE NAVY.

The SPEAKER laid before the House a message from the President of the United States; which was read, and, with accompanying papers, ordered printed, and referred to the Committee on Naval Affairs.

[For message see Senate proceedings of this date.]

PUBLIC LAND LAWS.

The SPEAKER also laid before the House a message from the President of the United States; which was read, ordered printed, and referred to the Committee on Public Lands.

[For message see Senate proceedings of this date.]

PANAMA CANAL.

The SPEAKER also laid before the House a message from the President of the United States; which, with the accompanying documents, was referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

[For message see Senate proceedings of this date.]

ENROLLED JOINT RESOLUTION SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

H. J. Res. 203. Joint resolution to pay the officers and em-

ployees of the Senate and House of Representatives their respective salaries for the month of December, 1906, on the twentieth day of said month.

COMMITTEE APPOINTMENT.

The SPEAKER announced the following committee appointment:

Mr. MOON of Tennessee to the Committee on Rivers and Harbors.

ADJOURNMENT.

Then, on motion of Mr. PAYNE (at 4 o'clock and 33 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of The Trustees of the Ivey Memorial Chapel against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of The Trustees of the Fourmile Creek Baptist Church against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of Commerce and Labor, transmitting a copy of a letter from the Commissioner of Navigation, with draft of proposed legislation with reference to the payment of certain navigation fees—to the Committee on the Merchant Marine and Fisheries, and ordered to be printed.

A letter from the Secretary of State, transmitting the report of Mr. Samuel J. Barrows, Commissioner of the United States in the International Prison Commission, of the proceedings of the Seventh International Prison Congress—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a copy of a letter from the Commissioner of Indian Affairs, a draft of a bill to pay certain incapable Indians their shares of the tribal trust funds—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting papers relating to the claim of Pelagio de Leon, of Bulacan, P. I.—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the concurrent resolution of the House (H. C. Res. 42) instructing the Secretary of War to return to the State of Texas the muster rolls of the Texas Rangers in service between February 28, 1855, and June 21, 1860, reported the same with amendment, accompanied by a report (No. 5553); which said concurrent resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MAYNARD, from the Committee on Industrial Arts and Expositions, to which was referred the bill of the House (H. R. 21949) authorizing the appropriation of the sum of \$1,000,000 as a loan to the Jamestown Exposition Company for the purpose of aiding in the payment of the cost of the construction, completion, and opening of the Jamestown Tercentennial Exposition on Hampton Roads, Virginia, on April 26, 1907, and to provide for the protection of the Government and insuring the repayment of the said sum of \$1,000,000 by a first lien upon the gross receipts of the said exposition company from all paid admissions to the grounds of said exposition and from all moneys received from the concessions after the opening of said exposition, reported the same with amendment, accompanied by a report (No. 5554); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions,

to which was referred the bill of the House (H. R. 18969) granting an increase of pension to Herman Hagemiller, reported the same with amendment, accompanied by a report (No. 5488); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 18322) granting an increase of pension to Hezekiah James, reported the same with amendment, accompanied by a report (No. 5489); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17810) granting a pension to Saul Saulson, reported the same with amendment, accompanied by a report (No. 5490); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 19706) granting an increase of pension to Almon Wood, reported the same without amendment, accompanied by a report (No. 5491); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17581) granting an increase of pension to Aquilla Williams, reported the same with amendment, accompanied by a report (No. 5492); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 15631) granting an increase of pension to Henry Clay Worley, reported the same with amendment, accompanied by a report (No. 5493); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7555) granting an increase of pension to John S. Roseberry, reported the same with amendment, accompanied by a report (No. 5494); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21767) granting an increase of pension to George Young, reported the same with amendment, accompanied by a report (No. 5495); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21624) granting an increase of pension to William H. Willey, reported the same with amendment, accompanied by a report (No. 5496); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20685) granting an increase of pension to Joseph R. Benham, reported the same without amendment, accompanied by a report (No. 5497); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15139) granting an increase of pension to James P. Mullen, reported the same with amendment, accompanied by a report (No. 5498); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21667) granting an increase of pension to John W. Towle, reported the same with amendment, accompanied by a report (No. 5499); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21535) granting an increase of pension to William E. Feeley, reported the same with amendment, accompanied by a report (No. 5500); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21499) granting an increase of pension to Henry A. Wieand, reported the same with amendment, accompanied by a report (No. 5501); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20927) granting an increase of pension to Benjamin F. Burch, reported the same with amendment, accompanied by a report (No. 5502); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21162) granting an increase of pension to John W. Humphrey, reported

the same with amendment, accompanied by a report (No. 5503); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21314) granting an increase of pension to Robert F. Patterson, reported the same with amendment, accompanied by a report (No. 5504); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 21277) granting an increase of pension to Robert Martin, reported the same with amendment, accompanied by a report (No. 5505); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 21002) granting an increase of pension to William Wiggins, reported the same with amendment, accompanied by a report (No. 5506); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20881) granting an increase of pension to Martha J. Weaverling, reported the same with amendment, accompanied by a report (No. 5507); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20859) granting an increase of pension to Henry C. Hughes, reported the same with amendment, accompanied by a report (No. 5508); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 20821) granting an increase of pension to John L. Newman, reported the same without amendment, accompanied by a report (No. 5509); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21079) granting an increase of pension to Patrick Kinney, reported the same with amendment, accompanied by a report (No. 5510); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21161) granting an increase of pension to Henry J. Rhodes, reported the same with amendment, accompanied by a report (No. 5511); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17204) granting a pension to Sarah E. Robey, reported the same with amendment, accompanied by a report (No. 5512); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21325) granting an increase of pension to George O. Tibbitts, reported the same without amendment, accompanied by a report (No. 5513); which said bill and report were referred to the Private Calendar.

Mr. WEISSE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21427) granting an increase of pension to Thomas L. Moody, reported the same with amendment, accompanied by a report (No. 5514); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2055) granting an increase of pension to Joanna Cox, reported the same with amendment, accompanied by a report (No. 5515); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13806) granting an increase of pension to John Campbell, reported the same with amendment, accompanied by a report (No. 5516); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21542) granting an increase of pension to Erastus A. Thomas, reported the same with amendment, accompanied by a report (No. 5517); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 16698) granting an increase of pension to Henry H. Davis, reported the same without amendment, accompanied by a report (No. 5518); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 14884) granting an increase of pension to Henry Stauffer, reported the same

with amendment, accompanied by a report (No. 5519); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10738) granting an increase of pension to Thomas Prosser, reported the same with amendment, accompanied by a report (No. 5520); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 17094) granting an increase of pension to James H. Sperry, reported the same with amendment, accompanied by a report (No. 5521); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 17483) granting an increase of pension to William H. Loyd, reported the same with amendment, accompanied by a report (No. 5522); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20036) granting an increase of pension to Oliver T. Westmoreland, reported the same with amendment, accompanied by a report (No. 5523); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to whom was referred the bill of the House (H. R. 20000) granting an increase of pension to Thomas R. Elliott, reported the same without amendment, accompanied by a report (No. 5524); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5729) granting an increase of pension to Norman H. Cole, reported the same with amendment, accompanied by a report (No. 5525); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2399) granting an increase of pension to Charles F. Sanscrainte, reported the same with amendment, accompanied by a report (No. 5526); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6894) granting an increase of pension to Daniel O. Corbin, reported the same with amendment, accompanied by a report (No. 5527); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20647) granting an increase of pension to Dominick Garvey, reported the same without amendment, accompanied by a report (No. 5528); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7581) granting an increase of pension to Emile Cloe, reported the same with amendment, accompanied by a report (No. 5529); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 15630) granting a pension to Sarah A. Kizer, reported the same with amendment, accompanied by a report (No. 5530); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11174) granting an increase of pension to Isaac Richards, reported the same with amendment, accompanied by a report (No. 5531); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 16506) granting an increase of pension to Kate S. T. Church, reported the same with amendment, accompanied by a report (No. 5532); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 20731) granting an increase of pension to Peter Buchman, reported the same with amendment, accompanied by a report (No. 5533); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12399) granting an increase of pension to William T. Osborn, reported the same without amendment, accompanied by a report (No. 5534); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20854) granting an increase of pension to Thomas Walsh, reported the same with amendment, accompanied by a report (No. 5535); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20887) granting

an increase of pension to Emma Walters, reported the same with amendment, accompanied by a report (No. 5536); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 20970) granting an increase of pension to Edgar Weaver, reported the same without amendment, accompanied by a report (No. 5537); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21026) granting a pension to Delia S. Humphrey, reported the same without amendment, accompanied by a report (No. 5538); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21078) granting an increase of pension to Henry C. Davis, reported the same with amendment, accompanied by a report (No. 5539); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21281) granting an increase of pension to Catherine Ludwig, reported the same with amendment, accompanied by a report (No. 5540); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21320) granting an increase of pension to Malinda H. Hitchcock, reported the same with amendment, accompanied by a report (No. 5541); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21355) granting a pension to John Cooper, reported the same with amendment, accompanied by a report (No. 5542); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21354) granting an increase of pension to Mary Shutler, reported the same with amendment, accompanied by a report (No. 5543); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 21376) granting an increase of pension to John W. Stichter, reported the same with amendment, accompanied by a report (No. 5544); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21498) granting an increase of pension to Daniel Scheetz, reported the same with amendment, accompanied by a report (No. 5545); which said bill and report were referred to the Private Calendar.

Mr. EDWARDS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21532) granting an increase of pension to William Dobson, reported the same with amendment, accompanied by a report (No. 5546); which said bill and report were referred to the Private Calendar.

Mr. DIXON of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21534) granting an increase of pension to Henry Reed, reported the same with amendment, accompanied by a report (No. 5547); which said bill and report were referred to the Private Calendar.

Mr. CHAPMAN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21543) granting an increase of pension to Addison Thompson, reported the same with amendment, accompanied by a report (No. 5548); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21615) granting an increase of pension to David Yoder, reported the same with amendment, accompanied by a report (No. 5549); which said bill and report were referred to the Private Calendar.

Mr. CHANEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 21819) granting an increase of pension to Joseph Peach, reported the same with amendment, accompanied by a report (No. 5550); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 676) granting an increase of pension to Musgrove E. O'Conner, reported the same with amendment, accompanied by a report (No. 5551); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 22652) to make uniform the

law of sales in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 22653) to make uniform the law of warehouse receipts in the District of Columbia—to the Committee on the District of Columbia.

Mr. HULL: A bill (H. R. 22654) providing for transfer of certain ground to the United States—to the Committee on Public Buildings and Grounds.

By Mr. HARDWICK: A bill (H. R. 22655) to provide for the use of the block system for all trains engaged in interstate commerce; to provide for the examination and license of all telegraph operators engaged in handling block signals and telegraphic orders affecting the movement of trains on such railroads, and to provide for the hours of labor to be required of such telegraph operators and their compensation—to the Committee on Interstate and Foreign Commerce.

By Mr. SHEPPARD: A bill (H. R. 22656) authorizing experimentation by the Secretary of Agriculture in reference to cotton bollworm and cotton wilt disease—to the Committee on Agriculture.

By Mr. HILL of Connecticut: A bill (H. R. 22657) to amend an act entitled "An act for withdrawal from bond, tax free, of domestic alcohol when rendered unfit for beverage or liquid medicinal uses by mixture with suitable denaturing materials," approved June 7, 1906—to the Committee on Ways and Means.

By Mr. TYNDALL: A bill (H. R. 22658) to make available the waters of the James River in the county of Stone, State of Missouri, for electric-power purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. ANDREWS: A bill (H. R. 22659) to amend section 1854 of the Revised Statutes of the United States, restricting appointments to office of members of the legislative assemblies in Territories—to the Committee on the Territories.

By Mr. WASKEY: A bill (H. R. 22660) to relieve the Tanana Mine Railroad, under construction in Alaska, of the licensed tax of \$100 per mile per annum—to the Committee on the Territories.

By Mr. WALLACE: A bill (H. R. 22661) authorizing the survey of Red River, Arkansas—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 22662) authorizing examination, etc., of Red River—to the Committee on Rivers and Harbors.

By Mr. GOULDEN: A bill (H. R. 22663) providing for the deepening and widening of the channel between North Brothers Island and South Brothers Island, in the East River of New York Harbor—to the Committee on Rivers and Harbors.

By Mr. HENRY of Texas: A bill (H. R. 22664) increasing salaries of rural free-delivery letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL of Georgia: A bill (H. R. 22665) authorizing the erection of a post-office building at Lawrenceville, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22666) authorizing the erection of a post-office building at Winder, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. MILLER: A bill (H. R. 22667) for the relief of the people of Hartshorne, Ind. T.—to the Committee on the Public Lands.

By Mr. MUDD: A bill (H. R. 22668) for the erection of a public building at Laurel, Md.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22669) for the erection of a public building at Hyattsville, Md.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22670) for the erection of a public building at Ellicott City, Md.—to the Committee on Public Buildings and Grounds.

By Mr. MILLER: A bill (H. R. 22671) to provide for the investigation of the water resources of the United States—to the Committee on Appropriations.

By Mr. WATKINS: A bill (H. R. 22672) to appropriate \$50,000 to conduct demonstration farms in the Mexican cotton boll weevil territory—to the Committee on Agriculture.

By Mr. BATES: A bill (H. R. 22673) amending the national banking act of 1864, for the better security of national-bank deposits—to the Committee on Banking and Currency.

By Mr. CLAYTON: A bill (H. R. 22674) to provide pay for rural free-delivery letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. POLLARD: A bill (H. R. 22675) to amend section 51 of the Revised Statutes of the United States, fixing the time Members elected to fill vacancies shall begin—to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 22676) forfeiting certain lands heretofore granted to the Minneapolis and Manitoba Railroad Company and providing for the disposal of said forfeited lands to actual settlers—to the Committee on the Public Lands.

By Mr. CURRIER: A bill (H. R. 22677) to provide for selection of site and preparation of plans for a building for the United States Patent Office—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 22678) to provide increased force and salaries in the United States Patent Office—to the Committee on Patents.

By Mr. GARDNER of Michigan: A resolution (H. Res. 669) increasing the salary of Bert W. Kennedy, assistant doorkeeper of the House—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. AIKEN: A bill (H. R. 22679) granting a pension to Ida E. Vaughn—to the Committee on Pensions.

By Mr. AMES: A bill (H. R. 22680) granting an increase of pension to Ezekiel R. Morse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22681) granting an increase of pension to Owen Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22682) granting an increase of pension to Winslow Russell—to the Committee on Invalid Pensions.

By Mr. BANNON: A bill (H. R. 22683) granting a pension to Ruth Boler—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 22684) granting an increase of pension to William Sherk—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 22685) granting an increase of pension to John T. Larkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22686) granting an increase of pension to George Ebert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22687) granting an increase of pension to Margaret Purcell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22688) granting an increase of pension to George A. Hamilton—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 22689) granting an increase of pension to Henry P. Whiteman—to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 22690) granting an increase of pension to Matthew J. McRaith—to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 22691) for the relief of the estate of Ovid Decuir, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22692) for the relief of Harvlien Norris—to the Committee on War Claims.

Also, a bill (H. R. 22693) for the relief of Paul Duhon—to the Committee on War Claims.

Also, a bill (H. R. 22694) for the relief of the estate of George Sallinger—to the Committee on War Claims.

By Mr. BURKE of South Dakota: A bill (H. R. 22695) for the relief of Rathbun, Beachy & Co., of Webster, S. Dak.—to the Committee on Claims.

By Mr. BURLEIGH: A bill (H. R. 22696) granting a pension to Charles F. Ellingwood—to the Committee on Pensions.

Also, a bill (H. R. 22697) granting a pension to M. Emily Putnam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22698) granting a pension to Sarah R. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22699) granting an increase of pension to Americus Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22700) granting an increase of pension to William McCauley, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22701) granting an increase of pension to James R. Fairbrother—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 22702) granting an increase of pension to Samuel Crews—to the Committee on Invalid Pensions.

By Mr. CAMPBELL of Kansas: A bill (H. R. 22703) granting a pension to Benjamin F. Richards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22704) granting a pension to Orin S. Smith—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 22705) granting an increase

of pension to William A. Beatty—to the Committee on Invalid Pensions.

By Mr. CASSEL: A bill (H. R. 22706) granting an increase of pension to William Smoker—to the Committee on Invalid Pensions.

By Mr. SCROGGY: A bill (H. R. 22707) granting an increase of pension to Sebastian Gerhardt—to the Committee on Invalid Pensions.

By Mr. CHAPMAN: A bill (H. R. 22708) granting an increase of pension to John Hughes—to the Committee on Invalid Pensions.

By Mr. COCKS: A bill (H. R. 22709) granting a pension to Martha E. Muhlenfeld—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22710) granting an increase of pension to Nelson Cornell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22711) granting an increase of pension to Jacob Kures—to the Committee on Invalid Pensions.

By Mr. COLE: A bill (H. R. 22712) granting a pension to Lydia B. Fowler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22713) to correct the military record of William H. Creek—to the Committee on Military Affairs.

By Mr. CONNER: A bill (H. R. 22714) granting an increase of pension to Francis Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22715) granting an increase of pension to Terrance Doyle—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 22716) granting an increase of pension to Thomas Mosher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22717) granting an increase of pension to Mary A. Brick—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 22718) granting an increase of pension to William Dean—to the Committee on Invalid Pensions.

By Mr. CROMER: A bill (H. R. 22719) granting an increase of pension to William Hazelbaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22720) granting a pension to Jane M. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22721) granting a pension to Grace C. Cheney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22722) granting a pension to Sarah E. Hiday—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 22723) granting an increase of pension to Harvey Walters—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 22724) granting an increase of pension to Amasa Plastridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22725) granting an increase of pension to Caswell I. Hale—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 22726) granting an increase of pension to Garrett F. Cowan—to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 22727) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

By Mr. DICKSON of Illinois: A bill (H. R. 22728) granting an increase of pension to Nathan W. Cogburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22729) granting an increase of pension to Robert W. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22730) granting an increase of pension to Francis M. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22731) granting an increase of pension to J. N. Chandler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22732) granting an increase of pension to John N. Ungles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22733) granting an increase of pension to James Fagan—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 22734) granting an increase of pension to Marshall Maler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22735) granting an increase of pension to Julia F. Clevenger—to the Committee on Pensions.

Also, a bill (H. R. 22736) granting an increase of pension to Charles Eberhardt—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 22737) granting a pension to Catherine A. Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22738) granting an increase of pension to Jeremiah Robbins—to the Committee on Invalid Pensions.

By Mr. FASSETT: A bill (H. R. 22739) granting an increase of pension to John Layton—to the Committee on Invalid Pensions.

By Mr. FLOYD: A bill (H. R. 22740) granting an increase of pension to George W. Nance—to the Committee on Pensions.

Also, a bill (H. R. 22741) granting an increase of pension to William H. Cleveland—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 22742) granting a pension to R. M. Carl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22743) granting an increase of pension to Emmett W. Sherman—to the Committee on Invalid Pensions.

By Mr. FULKERSON: A bill (H. R. 22744) granting an increase of pension to William M. Deaton—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: A bill (H. R. 22745) granting a pension to Ellen J. Johnson—to the Committee on Pensions.

Also, a bill (H. R. 22746) granting an increase of pension to Felix G. Cobb—to the Committee on Invalid Pensions.

By Mr. GARNER: A bill (H. R. 22747) granting a pension to Celestia E. Outlaw—to the Committee on Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 22748) granting an increase of pension to Willard P. Fisher—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 22749) granting a pension to Della S. Easton—to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 22750) granting an increase of pension to William Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22751) granting an increase of pension to William G. Russell—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 22752) granting a pension to G. S. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22753) granting an increase of pension to John H. Zimmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22754) granting an increase of pension to Joseph W. Gale—to the Committee on Invalid Pensions.

By Mr. HIGGINS: A bill (H. R. 22755) granting an increase of pension to Mary A. Hermance—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: A bill (H. R. 22756) granting an increase of pension to Levi Curtis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22757) granting an increase of pension to Joshua E. Hyatt—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 22758) granting an increase of pension to William Bivens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22759) granting an increase of pension to David R. Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22760) granting an increase of pension to John Cherry—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 22761) for the relief of D. C. Manire—to the Committee on War Claims.

Also, a bill (H. R. 22762) granting an increase of pension to John M. Gilbert—to the Committee on Invalid Pensions.

By Mr. HUBBARD: A bill (H. R. 22763) granting an increase of pension to Charles H. Slocum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22764) granting an increase of pension to Samuel V. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22765) granting an increase of pension to Charles Hawthorne—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 22766) granting an increase of pension to Soren V. Kalsem—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 22767) granting an increase of pension to Owen T. Edgar—to the Committee on Pensions.

By Mr. CLAUDE KITCHIN: A bill (H. R. 22768) for the relief of Dorsey S. De Lootch—to the Committee on War Claims.

By Mr. CHARLES B. LANDIS: A bill (H. R. 22769) granting an increase of pension to Chauncey W. R. Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22770) granting a pension to Benjamin F. McKey—to the Committee on Invalid Pensions.

By Mr. FREDERICK LANDIS: A bill (H. R. 22771) granting an increase of pension to William J. Courter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22772) granting a pension to Mary S. Sanders—to the Committee on Pensions.

By Mr. LILLEY of Connecticut: A bill (H. R. 22773) granting an increase of pension to Dora K. Flaherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22774) granting an increase of pension to Francis Hoey—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 22775) for the relief of Homer B. Galpin, receiver of the firm of Casgrain & McDonald—to the Committee on Claims.

By Mr. McMORRAN: A bill (H. R. 22776) granting an in-

crease of pension to James E. Converse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22777) granting a pension to Jemina Grigg—to the Committee on Pensions.

By Mr. MADDEN: A bill (H. R. 22778) for the relief of Ruben A. Stern—to the Committee on Claims.

Also, a bill (H. R. 22779) granting an increase of pension to J. C. Baldrige—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 22780) granting an increase of pension to David Sloss—to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 22781) granting a pension to Benjamin F. Dwinell—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 22782) granting an increase of pension to Jane Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22783) granting an increase of pension to John J. Goodson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22784) granting an increase of pension to Ellery P. Willett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22785) granting an increase of pension to Morton A. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22786) granting an increase of pension to John Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22787) granting an increase of pension to Elijah Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22788) granting an increase of pension to I. B. Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22789) granting an increase of pension to James W. George—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22790) granting an increase of pension to James Call—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22791) granting an increase of pension to Robert S. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22792) granting an increase of pension to Samuel Gilpen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22793) granting an increase of pension to Chaney Buckingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22794) granting an increase of pension to David Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22795) granting an increase of pension to Thomas C. Danford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22796) granting an increase of pension to Jonathan Duer—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 22797) granting an increase of pension to Charles F. Campbell—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 22798) granting an increase of pension to George W. Robinson—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 22799) granting an increase of pension to William E. White—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 22800) granting an increase of pension to George S. Clark—to the Committee on Invalid Pensions.

By Mr. POLLARD: A bill (H. R. 22801) granting an increase of pension to Robert McMillen—to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 22802) granting an increase of pension to Louise Eagleson—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 22803) granting a pension to Emaline Tabler—to the Committee on Pensions.

Also, a bill (H. R. 22804) granting a pension to Aaron Cohen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22805) granting a pension to Amanda Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22806) granting a pension to R. E. Pelham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22807) granting an increase of pension to David R. Lindsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22808) granting an increase of pension to William L. Herron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22809) granting an increase of pension to Isaac M. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22810) granting an increase of pension to Elijah M. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22811) granting an increase of pension to Alonzo M. Hannaford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22812) granting an increase of pension to Hiram E. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22813) granting an increase of pension to David Winn—to the Committee on Invalid Pensions.

By Mr. SAMUEL: A bill (H. R. 22814) to correct the military record of Francis Treas—to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: A bill (H. R. 22815) granting an increase of pension to Catherine Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22816) granting an increase of pension to Abram G. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22817) granting an increase of pension to Moretta Wiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22818) granting an increase of pension to James R. Hutton—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 22819) granting a pension to Helen D. Ferguson—to the Committee on Invalid Pensions.

By Mr. SMYSER: A bill (H. R. 22820) granting an increase of pension to George S. Schmutz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22821) granting an increase of pension to Jesse T. Reese—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22822) granting an increase of pension to Christian Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22823) granting an increase of pension to John Tipton—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 22824) granting an increase of pension to W. R. Morsee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22825) granting an increase of pension to Samuel G. Kinder—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 22826) granting an increase of pension to James O'Neal—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 22827) granting an increase of pension to Mary Kirk—to the Committee on Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 22828) granting a pension to Mary M. Humbarger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22829) granting an increase of pension to George Spalding—to the Committee on Pensions.

By Mr. THOMAS of Ohio: A bill (H. R. 22830) granting a pension to William H. Brown—to the Committee on Pensions.

Also, a bill (H. R. 22831) granting a pension to Rhoda Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22832) granting a pension to William H. McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22833) granting a pension to Louisa F. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22834) granting a pension to Jane E. Chapel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22835) granting an increase of pension to John Trims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22836) granting an increase of pension to John Bergin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22837) granting an increase of pension to Homer C. Reid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22838) granting an increase of pension to W. Ira Tempelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22839) granting an increase of pension to A. D. Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22840) granting an increase of pension to John Egan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22841) granting an increase of pension to Henry F. Sager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22842) granting an increase of pension to William H. Hodges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22843) granting an increase of pension to John A. Chaffee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22844) granting an increase of pension to Avery Truesdale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22845) granting an increase of pension to Elizabeth M. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22846) granting an increase of pension to Martin Holmes, alias George Langin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22847) granting an increase of pension to Henry C. Rood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22848) granting an increase of pension to Sherman B. Northway—to the Committee on Invalid Pensions.

By Mr. TYNDALL: A bill (H. R. 22849) granting a pension to Isham Handy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22850) granting a pension to James A. House—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22851) granting a pension to William F. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22852) granting an increase of pension to Walter L. Todd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22853) granting an increase of pension to Burden H. Barrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22854) granting an increase of pension to George Pollard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22855) granting an increase of pension to Benjamin L. Shepard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22856) granting an increase of pension to Charlotte A. Randolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22857) granting an increase of pension to Henry W. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22858) granting an increase of pension to John A. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22859) granting an increase of pension to Samuel Boyd—to the Committee on Pensions.

Also, a bill (H. R. 22860) granting an increase of pension to Silvanis Kessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22861) granting an increase of pension to Christopher S. Alvord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 22862) granting an increase of pension to Phlemon Devereux—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 22863) granting an increase of pension to Oscar A. Fuller—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: A bill (H. R. 22864) granting an increase of pension to Grace T. Train—to the Committee on Pensions.

By Mr. WATKINS: A bill (H. R. 22865) for the relief of C. A. Sarpy—to the Committee on War Claims.

Also, a bill (H. R. 22866) for the relief of H. N. Sarpy—to the Committee on War Claims.

Also, a bill (H. R. 22867) for the relief of the heirs of Joseph and Antoinette Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22868) for the relief of the heirs of Francois F. Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22869) for the relief of the heirs of J. B. P. Rachal, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22870) for the relief of the estate of Chestan Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22871) for the relief of the estate of Florentin Conaut, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22872) for the relief of the estates of William Robinson and Emily Bartell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22873) for the relief of the estates of Theophile Metoyer and Elena Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22874) for the relief of the estate of J. Valcour Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22875) for the relief of the estate of Joseph E. Dupre, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22876) for the relief of the estate of Charles Christophe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22877) for the relief of the estate of Artemise Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22878) for the relief of the estate of Ozam D. Metoyer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 22879) for the relief of the estate of Francois Florival Metoyer, deceased—to the Committee on War Claims.

By Mr. WEISSE: A bill (H. R. 22880) granting an increase of pension to John Nuss—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 22881) granting an increase of pension to Thomas L. Williams—to the Committee on Pensions.

By Mr. ZENOR: A bill (H. R. 22882) granting an increase of pension to John W. Hougland—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 20417) granting an increase of pension to Andrew J. Brown, and it was referred to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk, and referred as follows:

By the SPEAKER: Petition of members of the Western College for Women, at Oxford, Ohio, for investigation of the industrial, social, moral, educational, and physical condition of women and child workers in the United States—to the Committee on Labor.

By Mr. AMES: Petition of Wool Sorters Union No. 349, of Lawrence, Mass., for legislation that will compel the use of

American material in shipbuilding needed for our foreign commerce—to the Committee on the Merchant Marine and Fisheries.

By Mr. ANDREWS: Petition of Jesus Belarde and 490 others, against religious legislation in the District of Columbia (bill H. R. 16483)—to the Committee on the District of Columbia.

By Mr. BARTLETT: Resolutions of the Board of Trade of Savannah, Ga., and the Savannah Clearing Association, for legislation regulating bills of lading so as to safeguard the interests of all parties interested in them—to the Committee on Interstate and Foreign Commerce.

By Mr. BINGHAM: Petition of the New Century Club, of Philadelphia, for repeal of the duty on works of art—to the Committee on Ways and Means.

Also, petition of Puritan Council, No. 185, Daughters of Liberty, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. BONYNGE: Petition of Henry McKluck, of Denver, Colo., for free art legislation as per bill H. R. 15268—to the Committee on Ways and Means.

Also, petition of Division No. 35, Order of Railway Conductors, against the La Follette bill relative to arbitrary limitation of hours of service by railway employees—to the Committee on Interstate and Foreign Commerce.

By Mr. BROUSSARD: Papers to accompany bills for relief of estate of Ovid Decuir, Harvillen Norris, Paul Duhon, and estate of George Sallinger—to the Committee on War Claims.

By Mr. BRUNDIDGE: Paper to accompany bill for relief of Samuel Crews—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Paper to accompany bill for relief of Benjamin F. Gray—to the Committee on Invalid Pensions.

By Mr. BURTON of Ohio: Petition of Harvey Rice Council, No. 211, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. CAMPBELL of Kansas: Paper to accompany bill for relief of Orin M. Smith—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Versa Hutton (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

Also, paper to accompany bill for relief of Benjamin F. Richards—to the Committee on ———.

Also, paper to accompany bill for relief of William H. Webb—to the Committee on Invalid Pensions.

By Mr. CAPRON: Petition of the American Civic Association, for the forest-reserve bill—to the Committee on Agriculture.

Also, paper to accompany bill for relief of A. Beatty—to the Committee on Invalid Pensions.

Also, petition of the governors of the several New England States and others, for the establishment of two forest reserves in the East—to the Committee on Agriculture.

Also, petition of Dr. Benjamin F. Tefft, jr., of Anthony, R. I., and J. H. Smith, of Phenix, R. I., for the passage of the immigration bill—to the Committee on Immigration and Naturalization.

By Mr. CASSEL: Resolutions of Joy Council, No. 1003, of Shoff, Pa.; General Cameron Council, No. 851, of Mount Joy, Pa.; Junior Order United American Mechanics, and Peerless Council, No. 189, of Columbia, Pa.; Daughters of Liberty, in favor of the passage of the immigration bill—to the Committee on Immigration and Naturalization.

By Mr. CROMER: Petitions of the Daily News, Anderson, Ind., and the Banner, Bluffton, Ind., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. DALE: Paper to accompany bill for relief of John Miller—to the Committee on Invalid Pensions.

By Mr. DALZELL: Petition of Vine Cliff Council, No. 107, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. DOVENER: Paper to accompany bill for relief of Duncan Cunningham—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of Camp No. 44, Department of New York, United Spanish War Veterans, of Poughkeepsie, N. Y., for restoration of the Army canteen—to the Committee on Military Affairs.

By Mr. FITZGERALD: Petition of William Lloyd Garrison Post, No. 207, Grand Army of the Republic, of Kings County, Department of New York, for restoration of the Army canteen in Soldiers' Homes—to the Committee on Military Affairs.

Also, petition of a Brooklyn missionary mass meeting, for investigation of the conditions in the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. GAINES of Tennessee: Paper to accompany bill for relief of Ellen Jane Johnson—to the Committee on Pensions.

Also, paper to accompany bill for relief of Felix G. Cobb—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Ellen Jane Johnson—to the Committee on Invalid Pensions.

By Mr. GARNER: Paper to accompany bill for relief of Celestia E. Outlaw—to the Committee on Pensions.

By Mr. GOULDEN: Petition of the Baptist, Methodist, and Presbyterian churches of Williamsbridge, New York City, for investigation into affairs in the Kongo Free State—to the Committee on Foreign Affairs.

By Mr. GRONNA: Petition of the Commercial Club of Minot, N. Dak., for passage of the Wilson bill relative to an increase of salaries for postal clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. HAYES: Petitions of Abraham Lincoln Council, No. 2, of San Francisco, Cal., and U. S. Grant Council, No. 19, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. HEPBURN: Petition of Iowa soldiers, for legislation that shall increase pensions to ex-Union soldiers and sailors of the civil war—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: Paper to accompany bill for relief of Levi Curtis, of Woodbury, Conn.—to the Committee on Invalid Pensions.

Also, petition of Ben Miller Council, No. 11, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

Also, petition of Bridgewater (Conn.) Grange, No. 153, against free seed distribution—to the Committee on Agriculture.

Also, paper to accompany bill for relief of Joshua E. Hyatt—to the Committee on Invalid Pensions.

By Mr. KAHN: Petition of Martha Washington Council, No. 2, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Nebraska: Petition of North Platte Division, No. 35, Order of Railway Conductors, against the La Follett bill limiting hours of continuous employment by railway employees—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: Petition of Railway Conductors, Division No. 33, of North Platte, Nebr., against arbitrary limitation of hours of labor on railways—to the Committee on Interstate and Foreign Commerce.

By Mr. LAFEAN: Paper to accompany bill for relief of T. T. Tate—to the Committee on Invalid Pensions.

By Mr. LEVER: Petition of the R. L. Boyan Company, against tariff on linotype machines—to the Committee on Ways and Means.

Also, petition of Council No. 7, Junior Order United American Mechanics, of Sumter, S. C., favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. LILLEY: Papers to accompany bills for relief of Dora K. Flaherty and Francis Hoey—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Petition of J. Eaton, for forest reserve in the White Mountains and the Southern Appalachians—to the Committee on Agriculture.

Also, petition of Hamilton Council, No. 35, Daughters of Liberty, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. LIVINGSTON: Petitions of the Watson Jeffersonian Magazine and the New Rochelle Paragraph, against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. LLOYD: Paper to accompany bill for relief of William Hardesty (previously referred to the Committee on Invalid Pensions)—referred to the Committee on Pensions.

By Mr. McMORRAN: Paper to accompany bill for relief of James E. Converse—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Jemina Griggs—to the Committee on Invalid Pensions.

By Mr. MANN: Paper to accompany bill for relief of David Sloss—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: Petition of the United Spanish War Veterans, of Fresno, Cal., Camp No. 6, for restoration of the Army canteen—to the Committee on Military Affairs.

By Mr. PADGETT: Paper to accompany bill for relief of Thomas Horner—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of W. S. Noe—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petition of Spanish War Veterans of Au-

burn, N. Y., for restoration of the Army canteen—to the Committee on Military Affairs.

By Mr. POLLARD: Paper to accompany bill for relief of Robert McMillen—to the Committee on Invalid Pensions.

Also, petition of Division No. 35, Order of Railway Conductors, of North Platte, Nebr., expressing unalterable opposition to the bill limiting continuous hours of labor by railway employees—to the Committee on Interstate and Foreign Commerce.

Also, petition of the library board of the State University of Nebraska, against any change in the copyright law relative to importation of books in the English language—to the Committee on Patents.

By Mr. SAMUEL: Petition of Bloomsburg Council, No. 81, Daughters of Liberty, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. SMYSER: Petitions of Wayne Council, No. 42, of Wooster, Ohio; Coshocton Council, No. 65, and Goodwill Lodge, No. 178, Junior Order United American Mechanics, favoring restriction of immigration (S. 4403)—to the Committee on Immigration and Naturalization.

By Mr. SPERRY: Petition of Bridgewater (Conn.) Grange, No. 153, against free Government seeds—to the Committee on Agriculture.

Also, petition of the Evening Leader, New Haven, Conn., against tariff on linotype machines—to the Committee on Ways and Means.

By Mr. STERLING: Paper to accompany bill for relief of Robert Beardsley—to the Committee on Invalid Pensions.

By Mr. WATKINS: Papers to accompany bills for relief of C. A. Sarpy, estate of Chestan Metoyer, estate of Florentin Conaut, estates of William Robinson and Emily Bartell, H. N. Sarpy, estates of Theophile Metoyer and Elena Metoyer, heirs of Joseph Metoyer and Antoinette Metoyer, estate of J. Valcour Metoyer, heirs of Francois F. G. Metoyer, estate of Joseph E. Dupre, estate of Charles Christophe, estate of Artemise Metoyer, estate of Oram D. Metoyer, estate of Francois Florival Metoyer, and heirs of J. B. P. Rachal—to the Committee on War Claims.

SENATE.

TUESDAY, December 18, 1906.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

PAYMENT OF INDIAN FUNDS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs submitting a draft of a bill authorizing the payment to any Indian who is blind, crippled, decrepit or helpless from old age, etc., his or her share of the tribal trust funds in the Treasury, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

EXPERIMENTS WITH CHOLERA VIRUS IN THE PHILIPPINES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in further response to the resolution of the 12th instant, additional information relative to experiments with cholera virus upon prisoners in Bilibid Prison, at Manila; which was referred to the Committee on the Philippines, and ordered to be printed.

INTERNATIONAL PRISON COMMISSION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of State, transmitting a report prepared by Samuel J. Barrows, Commissioner for the United States on the International Prison Commission, of the proceedings of the Seventh International Prison Congress, held at Budapest September 3-9, 1906; which, with the accompanying papers, was referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

H. R. 189. An act to establish a life-saving station at the Isles of Shoals, off Portsmouth, N. H.;

H. R. 21200. An act to authorize the county of Allegheny, in the State of Pennsylvania, to construct a bridge across the Allegheny River, in Allegheny County, Pa.; and